The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

This document contains handwritten text that may be partially illegible due to age, penmanship, or deterioration of the medium. LLMC has scanned the material in the same format and page order in which it is maintained in the source document taken from the collection "Records of the States of the United States of America, a microfilm compilation."

House Journals

No. 108

10th LEGISLATURE

SUBJECT MATTER:

November 2nd 1863

to

November 13th 1863

HOW DISPOSED OF:

File Box No. 10

Journal of the
Tenth Legislature for
the 1st 2d & 3d days

Austin Nov 2nd 1863

The House of Representatives of the Tenth Legislature of the State of Texas met in pursuance of law, and was called to order by R J Downes Secretary of State, I H Herndon former Chief Clerk officiating as Clerk pro tem and John Stringer as Sergeant at Arms pro tem

The roll of Districts being called the following members appeared and presented their credentials and took the oath of office. to wit:

	Counties	Members names
Dist No 1 -	Jefferson, Chambers, Liberty & Orange,	
Dist No 2 -	Liberty and Polk	
Dist No 3	Tyler and Hardin	J. Barclay
Dist No 4	Jasper and Newton	A. A. Perkins
Dist No 5	San Augustine and Sabine	R F Slaughter
Dist No 6	Shelby - - - - -	J M Ramsay
Dist No 7	Nacogdoches.	B. Blake

Dist No 8	Nacogdoches & Angelina	
" " 9	Houston — — — —	G. W. Brazer
" " 10	Anderson — — — —	G. R. Howard
" " 11	Trinity, Houston and Anderson	J. C Wooten
" " 12	Cherokee — — —	R Robertson W C Daniel
" " 13	Rusk — — — —	Allen Birdwell Thos Smith
" " 14	Panola — — —	A W D Berry
" " 15	Harrison — — —	R R Haynes
" " 16	Harrison and Panola	
" " 17	Smith — — — —	D M Mays L P Butler
" " 18	Davis and Marion	J. M. Willis
" " 19	Titus — — — —	B. Bixby
" " 20	Davis, Titus and Bowie	M D & K Taylor
" " 21	Upshur — — — —	W M Hart A Emmert
" " 22	Red River	W. M. Harrison

District No 23	Lamar	Ed Gibbons
" " 24	Hopkins	L. A. Lollar
" " 25	Lamar and Hopkins	A J Redding
" " 26	Wood — — — — —	Howard Keyes
" " 27	Van Zandt, Kaufman & Henderson	D. M. Mabrey
" " 28	Hunt — — — — —	W R Lane
" " 29	Fannin — — — —	R English
" " 30	Fannin and Hunt	I. W. Marshall
" " 31	Grayson — — — —	W Malford
" " 32	Collin — — — — —	W A Rhea
" " 33	Collin and Grayson	Thos I. Browne
" " 34	Galveston	
" " 35	Galveston and Brazoria	
" " 36	Harris — — — — —	I. D Brady Geo W Frazier
" " 37	Montgomery Grimes & Brazos	I. G. McDonald
" " 38	Walker — — — — —	I. H Barton
" " 39	Leon and Madison	Robt Lacy
" " 40	Freestone, Limestone & Falls	
" " 41	Navarro and Hill	
" " 42	Ellis Johnson and Parker	E Pendleton
" " 43	Tarrant — — — —	I H Allen

Dist No 44	Dallas	W. J. Moffatt George Wilson
" " 45	Denton	I L Lovejoy
" " 46	Cook. Montague. Wise. Jack Young. Clay. Wichita. Archer Wilbarger. Baylor. Throckmorton Mardelman. Knox and Haskell	Wiley Jones
" " 47	Matagorda, Wharton, & Fort Bend	C W Buckley
" " 48	Austin	
" " 49	Colorado	W. J. Darden
" " 50	Fayette	
" " 51	Washington	F. W. McGuire
" " 52	Washington & Fayette	M W Baker
" " 53	Burleson and Robertson	J. W. Thomas
" " 54	Bastrop	
" " 55	Travis	M H Bowers.
" " 56	Travis and Williamson	Geo W Glasscock
" " 57	Williamson and Milam	L. Robinson
" " 58	Caldwell. Hays and Blanco	C Kyle
" " 59	Bell and Lampasses	E Walker
" " 60	McLennan and Bosque	C B Way
" " 61	Comyell. Hamilton. Comanche Erath. Brown. Palo Pinto. Buchanan Eastland. Shackelford. Callahan Coleman. Jones. Taylor and Runnells	O. T. Tyler

Dist No 62	Calhoun, Victoria, Jackson & De Witt	J B Reid W M Cook
" " 63	Lavaca	
" " 64	Gonzales	L R Bratton
" " 65	Guadalupe	
" " 66	Comal	
" " 67	Gillespie, Kerr, Bandera, Mason, Menard, Kimble and Edwards	J E Ranke
" " 68	Burnett, Llano, San Saba, McCulloch and Concho	W m Thaxton
" " 69	Goliad, Refugio & San Patricio	
" " 70	Karnes, Bee, Live Oak, Atascosa, McMullen, Frio, La Salle, Zavalla and Dimmit	C A Russell
" " 71	Bexar	J P Simpson D Sampson

* * 72 Making in all fifty nine, whereupon on motion the House adjourned to 3. P M.

3. P M. House met pursuant to adjournment and the following members presented their credentials and took the oath of office, to wit; B Pinly of Titus. N B Patten of Davis and John Griffith of Van Zandt.

Whereupon the roll was called and their being no quorum present on motion the House adjourned to 10 a m to morrow.

House of Representatives of the
State of Texas ~~Oct~~ 3. 1863

House met pursuant to adjournment and the following members came forward-presented their credentials-took the oath of Office and their seats— Thereupon the Roll was Called and a Quorum being present— The House proceeded to the election of Speaker— Messrs McDonald, Darden & Bowen were appointed Tellers— and on motion of Mr. Darden Messrs Simpson, Gray and Slaughter were appointed a Committee to receive the Vote of Mr. Hayes who is Confined to his room by sickness—

Mr. Hayes put in nomination the name of the Hon M.D.K. Taylor and Mr. Marshall put in nomination the name of the Hon C. M. Buckley— and there being no other nomination the House proceeded to ballot which resulted as follows to wit— For Taylor 45 Votes— For Buckley 18 Votes— Mr. Taylor having received a majority of all the Votes Cast was declared duly elected Speaker of the House of Representatives of the twelfth Legislature and Messrs Hays, McGuire & Tyler were appointed a Committee to wait upon the Speaker elect and Conduct him to the

Chung.

The Speaker upon taking his seat addressed the House as follows, to wit—

and then announced that the first business
before the House was the election of Chief Clerk
and declared nominations in order thereupon
Mr. Simpson of Bryan put in nomination the
name of S. H. Herndon of Travis and there
being no other nomination the ballot was taken
and resulted in ~~the House Casting the following vote~~
~~for Dick~~ Votes 61 for Mr. Herndon whereupon Mr. Herndon
was declared duly elected Chief Clerk of the
House of Representatives of the tenth Legislature. The election of 1st
Asst Clerk being next in order the Hon C.
Kyle put in nomination the name of
A. G. Campbell of Travis and there being
no other nomination the ballot was taken
and Mr Campbell having received the votes
~~being the whole vote of the House~~ was declared duly elected 1st Asst Clerk of
the House of Representatives —

Mr Buckley then offered the following
resolution — to wit — "Resolved that the
"officers of the House of Representatives for the
tenth Legislature shall consist of one Chief

"Clerk, and Three Assistant Clerk who shall be
"under the direction of the chief Clerk— one Ser-
"geant at arms— one Assistant Sergeant at arms
"one door Keeper, and one Chaplain"
which was adopted — The election of
2nd Asst Clerk being next in order W. Brown
put in nomination the name of N. Lambert
of Travis and W. Buckley put in nomination
the name John Blue and there being no other
nominations a Ballot was taken and resulted in
52 Votes for Lambert and 12 Votes for Blue
and Lambert having received a Majority of all
the Votes Cast was duly elected 2nd Asst Clerk of
the House of Representatives of the tenth Legislature— The election of
3rd Asst Clerk being next in order W. Brown put
in nomination the name of Fred Carter
and W. Buckley put in nomination the name
of T. Purdy— and there being no other nomina
tions a Ballot was taken and resulted as
follows to Wit for W. Carter 55 Votes for W. Purdy
9 Votes— and W. Carter having received a Majority of all the Votes Cast was duly declared duly
elected 3rd Asst Clerk of the House of Representatives of the tenth Legislature
The Election of Sergeant at arms

being next in order Mr Reed of Victory
put the name of R.B. Hamilton in nomination
and Mr Mc Donald [2 times] put in nomination the
name of John E. Stinger and Mr Bracken of
Gonzales
put in nomination the name of Wm Hollander
and there being no other nomination - The ballot
was taken and resulted as follows to wit ——— For
Hamilton 28 Votes for Mr Stinger 7 Votes — and
for Mr Hollander 29 Votes — ~~and~~ There not being
a majority of all the Votes Cast for either of
the Candidates a second ballot was ordered
whereupon Mr Mc Donald withdrew the name
of Mr. Stinger and Mr. Reed withdrew the name
of Mr Hamilton and ~~then~~ the ballot being proceeded
with ~~then~~ resulted as follows to wit for Mr Hol-
lander 62 Votes and for Mr. Hamilton 3 Votes
and Mr. Hollander having received a majority
of all the Votes Cast was declared duly elected
Sergeant at Arms for the House of Representatives
for the 16th Legislature - The election of assist Ser-
geant at arms being next in order Mr Baker

of Harkness put in nomination the name of Jas
E. Hayne & W. Bowen of Travis put in nomina
tion the name of Perry L. Hopkins and W. Maples
of Houston put in nomination the name
of W.B. Hamilton - and there being no further no-
minations the ballot was taken which resulted
as follows to wit for Hayne 27 Votes for Hop
kins 11 Votes and for Hamilton 26 Votes -
and neither of the Candidates having received
a majority of all the Votes Cast a second bal-
lot was ordered whereupon W Bowen with
drew the name of W. Hopkins and the ballot
proceeded which being taken resulted
as follows to wit - For Hayne 38 Votes and
for Hamilton 26 Votes - and W Hayne having
received a majority of all the Votes Cast was declared
duly elected and Sergeant at Arms for the House of
Representatives for the 16th Legislature. The Election
of Door-Keeper being next in order W Robinson of Milam
put the name of Levi Pendleton in nomination and
there being no other nomination the ballot was taken
and resulted as follows. For Pendleton 63 -

Votes and Mr Pennington having received ~~a majority~~ of all the Votes Cast was declared duly elected Door Keeper of the House of Representatives of the tenth Legislature — the Election of Chaplain being next in order Mr. Moffett of Dallas put in nomination the name of the Rt. Revd. Alex Gregg and Mr. Burdett of Rusk put in nomination the name of Mr Craig — and Mr Glasscock of Travis put in nomination the name of J. W. Phillips and there being no further nominations the ballot was taken and resulted as follows, to wit — For Greg 24 votes — for Craig 13 votes and for Phillips 27 votes — and neither of the Candidates having received a majority of all the votes Cast a second ballot was ordered whereupon Mr. Burdett put in nomination the name of Mr Craig — and the ballot being taken resulted as follows to wit — For Greg 32 votes — and for Phillips 29 votes and for Mr Craig 2 votes — & Mr. Gregg having received a majority of all the Votes Cast was declared duly elected Chaplain for the House of Representatives of the tenth Legislature — Whereupon the Officers elect of the House of Representatives of the tenth

Legislature Came forward and were duly qualified

The Speaker then announced that the House was duly organized

Whereupon Mr. Ray moved to appoint a Committee of three to inform the Senate that the House was now organized and to proceed to Business; and ~~Mr. Cooper~~ also to act with a Committee of the Senate to wait upon the Governor which Committee was and Messrs Ray, Buckley and Barlow were appointed said Committee —

W. Buckley moved that the Sergeant at Arms Number the Members Seats and that the Chief Clerk and Assistants draw for them in the order of the Members names on the Roll

On motion the House adjourned to 3. P.M.

3 P.M.

House met pursuant to adjournment Roll Called and quorum present —

A Committee from the Honorable Senate was announced and received who

informed the House that the Senate was organized and ready to proceed to business and to act in Conjunction with a Similar Committee on the part of the House to wait on the Governor —

A Message from the Senate was announced and received informing the House that the Senate was organized and had elected the following as its Officers —

R. N. Gunn President pro Tem
P. De. Cordova Secretary
W. C. Raymond Asst Sec'y
W. M. Gilliam Enrolling Clk
D. Thomas Engrossing Clk
R. M. Clements Serg at Arms
J. D. W. Cole Door Keeper

Mr Ellis offered the following Resolution to wit

"Resolved that the rule of the House be so changed as to allow and authorize the Speaker to appoint any Number of Members on the Committee on Finance not exceeding fifteen"

Mr. McDonald offered the following Resolution to wit.

Resolved that the Sergeant at Arms be requested to procure from the Secretary of State for the use of the Members of the House one Copy of Oldham & Wales Digest — one Copy of the Amended Constitution of the State — and also a Copy of the act of each Session of the next Legislature for each Member of the House and also Pamphlets — laws since the publication of the Digest which was adopted

W. P Barton of Walker offered the following Resolutions to wit. "Resolved that the House has heard with deep regret that the distinguished States-man patriot and Soldier General Sam Houston departed this life on the 26th day of July 1863 at his residence in Walker County

"Resolved that in his death the State has lost one of its distinguished Citizens and public Servants and one of its ablest and most Zealous advocates and defenders of its rights, liberties and its honor"

"Resolved that to great a light can be fully spared in the dark hour of our Country's expectation: and is gone out in alike a manner as a National Calamity"

Resolved that his public Services through a long and eventful life: his unblemished patriotism: his great private and moral worth: and his untiring devotion to and jealous regard for the interest of the State of Texas commend our highest admiration and shower his

"here in / particular remembered by the People of the State;

"Resolved that the Sympathys and "Condolence of the people of the State be tendered "to the afflicted family of the deceased;

"Resolved that the Clerk of the House "furnish the Surviving widow of the deceased with "a Copy of these proceedings and that they be spread "upon the journals of the House;

"Resolved that as a further token of respect "to the memory of the deceased ~~deceased~~ this Legislature do now adjourn to 10 A.M. tomorrow;

which was adopted and after ~~some~~ "appropriate remarks from Mr. Baker "the House adjourned to 10 A.M. tomorrow.

Journal of the House for Aug. 4th. 1863—

11-4-6

House of Representatives of the
State of Texas Nov.r 4.th 1863

House met pursuant to adjournment—

Roll Called — Quorum Present —

The following Members Came forward
presented their Credentials and took the oath
of Office viz — W. W. Howard of Lavaca — A.
T. Perkins of Jasper — T. W. Bush of Austin
and C. B. Adams of Liberty

The Journal was then read — amended
and adopted —

Mr. Buckley moved that the House take
a recess of 10 minutes: and that the Hall
of the House be put in order to receive the Hon.
Senate into a Joint Session To receive the
Governors Message To be delivered in the Hall
of the House by his Excellency in person — which
was Carried —

At the expiration of the recess the House was
was called to order: and the Hon. Senate notified
that the House was ready To receive them — where-
upon the Hon. Senate was announced, and —

received. The Joint Committee of the House then
waited upon the Governor and informed his Excellency
that the Houses were in Joint Session and ready
to receive his Message — Whereupon his Excellency
F. H. Lubbock was introduced by the Committee and
delivered his message from the Speakers Stand. After
which the Senate returned to their Chamber —

On motion of Mr Buckley the House
adjourned to 3. P.M.

3. P.M. — House met pursuant to ad-
journment — Roll called — Quorum present —

A Message from the Senate was announ-
ced and received informing the House that
the Senate had raised a Committee to act
in Conjunction with a similar Committee
on the part of the House to make Suitable
arrangements for the inauguration of the
Governor & Lieut Governor elect — Whereupon
the Speaker appointed Messrs Baker, Simpson
and Willis a Committee on the part of
the House to act in Conjunction with the Com-
mittee of the Senate —

Mr Buckley moved that the Representatives for Travis be added to the manufactural Committee of the House — Carried

Mr Hays moved to take up the Resolution for Changing the Rules of the House

Mr Keller asked leave to withdraw the Resolution — which was granted

Mr. Buckley moved that a Committee of 3 be appointed to invite the Hon — Senate to the Hall of the House for the purpose of Counting the Vote for the Governor and Lieut Governor — whereupon Mess Buckley Hays and Brown were appointed; and immediately performed the duty appointed them — Whereupon the Hon. Senate in a body came to the Hall of the House and Mr. Throckmorton of the Senate, and Mess Haynes and Banton of the House were appointed Tellers to count the vote — Whereupon the Counting was proceeded with and on the Conclusion

thereof the vote for Governor and Lieut Governor
counties and declared who as follows to wit
For Murrah for Governor 17,517 Votes for
Chambers for Governor 12.455 Votes and
Scattering 1079 Votes whereupon W. Mur-
rah was declared duly elected Governor
of the State of Texas for the next two
years - For Stockdale for Lieut Governor
11.152 Votes for Darden for Lieut Governor
8183 Votes for Wilbarle for Lieut Governor
4163 Votes for Guthy for Lieut Governor
4490 Votes When upon W Stockdale
was declared duly elected Lieut Gover
nor for the State of Texas for the next two
years. The Senate then upon motion
returned to their Chambers and on
motion the House adjourned to 10. a.m.
to morrow —

Journal of the House for Nov 5th 1863 —

11-3-63

House of Representatives of the
State of Texas November 5th 1863

House met pursuant to adjournment.
The Roll was Called and Quorum being present the Journal of yesterday was read amended and adopted.

The following members came forward presented their Credentials and took the oath of Office viz Mr W. B. Moore and D. M. Pendegast of the District of Trenton. Limestone and Falls: and John H. Bowen of the District of Ellis Johnson and Parker.

The Speaker reported from his Stand the Contested Election Returns from the District of Bashop and Dallas in each of which the Seat is Contested which on motion were referred to the Committee on Privileges and Elections

The Speaker then Reported the following as the Standing Committees of the House of Representatives of the State of Texas in the 10th Legislature. To wit

Committee on Judiciary

Buckley — Chairman
Bingaman
Simpson
Davidson
De Bunny
Mc Donald
Hayman
Baxter
Hall
Bush
Burns

Committee on Finance

Barton — Chairman
Emmett
Howard of Lincoln
Hosford
Ingalls
Laine
Moores
Perkins
Pemberton
Pemberton

Committee on Public Lands & Claims

Kyle — Chairman
Sayles
Allen
Bowers
Bush
Hall
Hart
Hunt
Cunningham
Neill

Committee on Internal Improvements

Foster — Chairman
Bingaman
Howard of Lincoln
Pemberton
Hall
Baker
Hart
Bowers
Bush
Gibbon
Hunt

Committee on Education

Adams
Butler
Beatty
Darden
Hinkle
Ivey
Simpson
Thomas

Committee on Retrenchment & Reform

Read — Chairman
Allen
Butler
Brown
Daniel
Davis
Eaton
Gibson
Lipscomb

Committee on Comptroller's Office

~~Stanton~~
Bernard — Anderson — Graham
Chandler
Conner
Claybrook
Duncan
Forbes
Bratton
Harrison

Committee on Agricultural Affairs Committee on

Butler — Chairman
Lipscomb
Blake
Clark
Dearman & Farmer
Hardcastle
Jones
Robertson

Committee on Penitentiary Committee

Taylor — Chairman
Hill's
Hollis
Long
Lowe
Frazier
Dennis
Nelson
Polk

Committee on Military Affairs

Griffith — Chairman
Ellis
Church
Brady
Bowers
De Vany
Lovejoy
McCarthy
[illegible]

Committee on Claims & Accts.

Willis — Chairman
McClimic
McNeill
Patton
Robertson
Redding
Robinson
Russell

Committee on Public Buildings

Hancock — Chairman
Britton
Cochran
Fessenden
[illegible] Stanyhta
Gilpin
Houston
Ford
Caybury

Committee on Public Lands

[illegible]
Stafford
Berry
Sayers
McDonald
Cheney
Perkins
Hamilton
Neal

Committee on Claims

[illegible]
Clarke
Bradley
Daniels
Adams
Abbott
Hatch
Russell

Committee on Public Lands

Committee on Forest Bills

~~Houghton~~ Higgins, Chairman
Kaye
Moffat
McDonald
Sampson
Lovejoy
Frazier

Committee on Claims & Claims

Chairman
Andrews
Brickley
Butler
Birdwell
Finley
Griffith
Hunt
Moores
Baker

Committee on Finance

Grady, Chairman
Higgs
Ellis
Cook
Doyle
Simpson
Coughlin
Sweetnam
Harrison

Committee on Roads, Bridges & Ferries

Emmert, Chairman
Barclay
Allen
Daniel
Grigsby
Monahan
Sims
Kyle
Kane

Committee on Enrolled Bills

Cain, Chairman
Epps
Watts
Mansfield
Avery
Patton
Daly
Wilson
Barclay

Committee on Public Lands & Irrigation

Sanderlin, Chairman
Taylor
Kyle
Belden
Cole
Callahan
Sims
Lorland
Manhart

Committee on Confederate Relations

Mr Donald, Chairman
Mr Ward of Indiana
Mr Hill
Mr Grimes
Mr Reid
Mr Watkins
Mr Hawkins
Mr Pearce
Mr Pendergrast

Committee on Indian Affairs

Mr Pendleton Chairman
Mr Taylor
Mr Thompson
Mr Pamrick
Mr Grimes
Mr Kinney
Mr Barclay
Mr Black
Mr Stevens

Committee on Land Office

Mr Russell Chairman
Mr Rives
Mr Richardson
Mr Robertson
Mr Patton
Mr Grimes
Mr Mc Ferry
Mr Mc Neill
Mr Williams

Committee on Contingent Expenses

Mr Tolliver Chairman
Mr Adams
Mr Brown
Mr Bell
Mr Cobb
Mr Grimes
Mr Bigler
Mr Hamilton
Mr Stevens

Committee on Public Lands

Mr [illegible] Chairman
Mr Daniel
Mr Bagby
Mr Grimes
Mr Thompson of Kentucky
Mr Bibb
Mr Calhoun
Mr Ewing
Mr Robinson

Committee on Engrossed Bills

Mr Smith Chairman
Mr Grimes
Mr Mason
Mr Preston
Mr Tibbatts
Mr Sevier

Mr Baker Chairman of the Inaugural committee on the part of the House made the following report - to wit -

Representative Hall
November 4th 1863

Hon W D. K Taylor
Speaker of the House of Representatives

The joint committee appointed to make arrangements for the inauguration of the Governor and Lieutenant Governor elect on the 5th instant, beg leave to report that the inauguration shall take place in the Hall of the House of Representatives, at 11 o'clock A M.; that the two branches of the Legislature shall meet in the House at a quarter before 11, the Speaker of the House in the Chair, and the President on his right; that the Chief Justice and the Associate Justices of the Supreme Court, with the Attorney General, shall occupy seats on ~~either~~ the platform before the Speakers Chair; that the heads of departments and officers of the late Republic of Texas shall occupy seats on the left of the platform; that the Senators shall occupy seats on either side of the aisle of the House, and ~~that~~ the

Representatives as near as practicable to the Speakers Chair; that the ladies shall occupy seats within the bar of the House, and that the citizens shall occupy seats within the bar and in the galleries The retiring Governor, the Governor and Lieutenant Governor elect, with the committee, will enter the House at 11 o'clock, and be seated, the retiring Governor and Governor elect on the right of the Speaker's Chair and the Lieutenant Governor on the left

Prayer by the Chaplain of the Senate after which the retiring Governor and Lieutenant Governor will deliver their valedictories and immediately after the Governor and Lieutenant Governor elect will have the oath of office administered to them by the Chief Justice

Respectfully submitted
M W Baker
Chairman of the part of the House
D W Beasley
Chairman on the part of the Senate

A Message from the Senate was announced and
received informing the House that the
Senate have adopted the following Resolution
to wit. "Resolved by the Senate / the House Con-
curring / that a Joint Committee of Five
from the Senate and a / proportional number
from the House be raised for the purpose of
taking into Consideration matters pertaining
to the frontier defence and protection"
in which the House Concurs —

Mr. D. L. McCarthy of the El-Paso district
came forward / presented his Credentials and
took the oath of Office —

Mr Reed of Victoria offered the following
Resolution to wit "Resolved that the Committee
on Public printing be instructed to Contract with
the Editor of the State Gazette publishing in the
Place for the printing of Two hundred Copies
of the Governors Message for the use of the Mem-
bers of this House; and that the Committee be fur-
ther instructed to Contract for five Extra Co-
pies of the bi-weekly Gazette / to Contain

the proceedings of the Legislature for each member of the House at as early a day as practicable; and also for two hundred Copies of the Rules of the House adopted and Made special order for 11 A.M. to-morrow.

Mr. Daniel offered the following Joint Resolution to wit "Be it Resolved by the Legislature of the State of Texas that our Senators in Congress are instructed and our representatives are requested to use their influence to increase the wages of the non commissioned officers and privates in the Army and Navy of the Confederate States" Read first time and refused to Commit or Make the order

The following Special Message from the Governor was received — to wit

"It is once more my proud privilege to present to you Memorations of the gallant achievements of Texas Troops: and to suspend from the walls of the Capital three additional trophies wrested from the enemy on the battle field.

The Standard of Colors of the 4th New Jersey Volunteers together with the whole Regiment was Captured by the fifth Texas in the Battle of Richmond June 27th 1862.

The other Flags was Captured by Lieut

Col G. T Hampton. 4th Texas Cavalry (Hardeman's) otherwise known as the 1st Regt. Sibleys Brigade in the Battle of La Fourche, La. July 13th 1863.

The tattered colors of the 6th Tex Cavalry were destined by its gallant colonel, Col Ross, to stand within the walls of the Capitol side by side with those of the 4th & 5th Texas of the Army of Virginia. They were confided to the Lieut Simpson, and unhappily burned with the Hotel at which he was stopping at Jackson Miss. The flag bore the marks of the many and severe conflicts in which the regiment had been engaged. It floated over this distinguished corps at Corinth, Hatchie Bridge, Farmington and Luka

The services of the 6th are household words Let the niche it should have filled be left vacant, and, like the statues of Brutus and Cassius at the funeral of Junia, it will be the more present to our minds, because it is with=drawn from the sight

Very Respectfully
T. R Lubbock

On motion of Mr Buckley refered to committee on State Affairs

Mr. Buckley introduced a Bill to provide for the Contingent expenses of the tenth Legislature. Read first time — On Motion the Constitution rule was suspended — Bill read 2nd time and ordered to be engrossed — Constitutional Rule for ~~Bill~~ suspended — and read ~~2nd~~ third time and passed.

Mr. Hyde moved that the House take a recess of ten minutes — Carried

At the expiration of the ten minutes the House was called to order — Role called and quorum being present — The Hon Senate was invited into the Hall of the House for the purpose of inaugurating in joint session the Governor and Governor elect — Whereupon the Hon Senate came into the Hall: and the Report of the Joint inaugural Committee was read and the Governor elect and Lieut Governor elect, came ~~forth~~ forward and took their respective seats and the Chaplain made a short prayer by the Committee — Whereupon the Speaker introduced His Excellency C. H. Lubbock who delivered an Inaugural address — The oath of Office

was then administered to the Governor elect by the Chief Justice of the Supreme Court — Whereupon His Excellency Pendleton Murrah delivered his inaugural address in front of Capitol — The oath of Office was then administered to the Lieut Governor Elect ~~Whereupon~~ Whereupon the Senate ~~retired~~ on motion retired to the Chamber: and the House on motion adjourned to 3. P.M. —

3 P.M.

House met pursuant to adjournment Roll was Called — and a quorum present

Mr Hayes Offered the following resolution — to wit "Resolved that the Committee on Public printing be required to wait on the Publishers of the papers of the City of Austin and ascertain at what prices per the 100 Copies the weekly Tri-weekly and daily papers which publish the proceedings of this House for the use of the Members of the House: and report to the House by 10 A.M. tomorrow — which was adopted —

als. the following Resolution — & Mr Resolved
that the Committee on Printing be instructed to
make arrangements with the Post-Master for
the Postage of Members and Officers and to
procure the necessary Stamps for them as
said have been made & done — which
was adopted —

Mr. Burdwell introduces the
Bill to regulate the distribution of Arrears of
Pensions Legacies — Read 1st time and
on Caption was referred to the Committee on State
affairs

Mr Thomas introduced a Bill to be en-
titled an act to exempt Certain Officers and
Soldiers from the payment of Certain Taxes —
Read first time and by Caption referred to
Committee on Finance —

Mr Smith introduces a Bill to be entitled
an act declaring what shall be a sufficient
ground for divorce — Read 1st time and by
Caption referred to Committee on the Judiciary

Mr Pendleton introduces a Bill to be entitled an act to change the name of Mary Patten to that of Mary Green —

Read first time and by Captain refers to Committee on the Judiciary

Mr. Brazer offered the following Resolutions to wit — Resolved that the Committee on State Affairs enquire into the practicability of making Confederate Treasury a legal tender and report by Bill or otherwise — Lost —

Mr Sampson offers the following Resolution to wit "Resolved that the Committee on the Judiciary be instructed to enquire into the propriety of enacting a law to punish persons for assuming authority pretending and professing to be acting as agent for and on behalf of the Confederate Government or its Officers or of any State or its Officers or otherwise and report by Bill or otherwise Refers to Committee on Judiciary —

Mr Haynes offered the following Resolution Resolved that the Committee on Stock and

and Stock ranging be requested to examine into the expediency of re-enacting the Act or so much thereof as may be necessary to protect the rights of property and prevent theft and acted upon by Belle & others — adopted —

Mr Smith introduced a Bill to be entitled an Act to amend an Act entitled an act to suspend the operations of the Stray laws — Read first time and by Order referred to Committee on Stock and Stock ranging —

Mr Brazer offered the following resolution & the Resolved that the Committee on Public lands be instructed to enquire into the practicability of donating to all the holding and then keep a certain portion of the public domain and to report by Bill or otherwise — adopted

On Motion House adjourned to 9 A.M. to morrow —

Journal of the
House of Representatives
November 6th 1863

11-6-63

House of Representatives of the State of Texas Nov. 1. th 1863

House met pursuant to adjournment — The Roll was Called: and a quorum being present — The Journal of yesterday was read and adopted —

The following Members Came forward pre — sented their Credentials and took the oath to wit Henry Haney of the District of Guadalupe and Wm. McBeam of the District of Goliad —

The Speaker announced the following Committee on the part of the House to act in Conjunction with the one of the Senate to Confer on matters pertaining to the Previous question & Rule 6. Rule 8th — and Rules Rule 8 — Tyler. Jones, Buckley — House of Lavaca. Thurlow Price and M. Carthy

Mr. M. Guire Chairman of the Committee on Public printing made the following Report to wit —

~~To the Hon. Speaker of the House of Representatives —~~

To the Hon M D K Taylor. Speaker of the House of Representatives.

The committee on Printing, to whom was refered the resolution instructing them to confer with the publishers of the papers of this city, and ascertain at what prices per 100 copies the Weekly Tri-weekly, and daily papers which publish the proceedings of the House, can be procured, beg leave to report: that there is but one office where papers are printed at this place, the Tri-weekly and Weekly Gazette. The proprietor informed the committee that his terms is $20. per 100 for the tri-weekly and $30. per 100 for the weekly Gazette

All of which is respectfully submitted

D. W. McGuire

Chairman — Report adopted

~~Report first time and ordered to lay on the table~~

Also the following Report to wit —

To Hon M D K Taylor, Speaker of the House of Representatives

The committee on Printing to whom was refered the resolution instructing them to make arrangements with the Postmaster for the postage of members and to procure stamps for their use, and have the mails delivered, beg leave to report: that the procured $1000 worth of postage stamps. The postmaster informed the the committee that the supply of postage stamps is

limited. We thought it best to procure a sufficient amount for the session. If there should be more than is needed, they can be returned. Arrangements have been made to have the mails delivered to the Sergeant at Arms. The postmaster informed the committee that he had no 2 cent stamps; but that the members could send their packages with their names on them and he would mark them prepaid, and charge the account to the House.

All of which is respectfully submitted

P. W. McGuire

Chairman

~~and laid on the table~~

Mr Thomas ~~after~~ introduced the following resolution to wit-

A Resolution instructing the committee on the Land office to inquire into the expediency of suspending the entry and location of public lands.

Whereas, a large and meritorious portion of the citizens of the State of Texas are in the army of the Country, and consequently deprived of the priviledge of locating or entering public lands, be it

Resolved, that the Land office Committee be instructed to inquire into the expediency of suspending the entry and location of the public domain during the present

war, except to bona fide settlers, and for twelve months after peace shall have been established, and of retaining in the land office only such number of clerks, and employees, as may be necessary to carry on such other business as may be indispensible and that said committee be required to report by bill or otherwise

adopted

Mr Lovejoy introduced the following Joint Resolution, to wit:

Joint Resolution instructing our Senators and requesting our Representatives in Congress, to use their influence to secure the passage of a law making Confederate Treasury notes a legal tender

Be it resolved by the Legislature of the State of Texas. That our Senators in the Congress of the Confederate States, be instructed, and our Representatives be requested to use their influence to secure the passage of a law, making Confederate States Treasury Notes a legal tender in payment of all debts whatever

Resolved, That his Excellency the Governor be requested to forward a copy of these resolutions to our Senators and Representatives in Congress, immediately upon the convening of ~~the same~~ said body

Read first time and refered to committee on Confederate Relations

Mr Brady introduces a Bill to be entitled an act Compelling persons to pay certain claimants who claim exemption from Military Service be cause of Conscientious Scruples — Read first time and by Order referred to Committee on Military Affairs —

A message from the Senate was announced and received informing the House that the Senate had Amended and passed the Resolution of the House providing for the Contingent expenses of the Tenth Legislature —

Mr Brazeg introduces a Bill to be entitled an Act to regulate Argument in Criminal Cases — Read first time and by Order referred to the Committee on the Judiciary

The Speaker returned from his table the Report of the Adjutant General of the State which was referred to the Committee on Military Affairs ——

Also the Report of the Secretary of State which was without question to the Committee on State Affairs —

Also the Report of the Legislatures investigating Committee on the affairs of the State Penitentiary which was without question referred to the Committee on the Penitentiary —

Also the Report of the State Military Board which on Motion of Mr. Buckley was referred to a Special Committee of seven whose name appear in Connection with a Committee on the part of the Senate —

Also the Report of the Superintendent of the blind asylum — which was without question referred to the Committee on State affairs —

Also the Report of the Treasurer and Ex officio Superintendent of Common Schools — which was with question referred to the Committee on Education —

Also the Biennial Report of the Comptroller which was without question referred to the Committee on Finance —

Also the Report of the State Treasurer for the fiscal years of 1862 and 1863 which was without question referred to the Committee on Finance —

Also the Report of the Superintendent of the Senate asylum which was without question referred to the Committee on State affairs —

Mr. Hayes offered the following resolution to wit "Resolved that the Committee on State Affairs be requested to institute and inquiry in regard to the transportation of Cotton to the Northern Iron Clads and ascertain if the Citizens of this State are prohibited from transporting Cotton and by what authority and report to this House: by Bill or otherwise — adopted —

Mr Butler offered the following resolution to wit "Resolved by the House of Representatives

of the State of Texas: that the present Laws ex-
pire all special laws except for incorporating
purposes — the renewal or amendment of the
same —" Read and laid over for one day

Mr Wells offers the following resolution
to wit "Resolved that the Committee on the Ju-
diciary enquire into the expediency of staying
all debts during the war and ten years thereafter
upon the refusal to take Confederate Money or
State warrants in payment thereof" — adopted

The hour for which the resolution on Public
printing was made the special order having
arrived. The Resolution was taken up whereu-
pon Mr. Baker offers the following substitute to
wit. "Resolved that the Committee on printing be
instructed to have printed one thousand Copies of
the Governor's Message two thousand Copies of the
inaugural address — two hundred Copies of the
Rules of this House — ten Copies for each of the
Members of the Weekly State Gazette for the use
of the Members of the House during the Session — and

that the Committee act in Conjunction with the Senate's Committee on Printing — which was adopted

Mr. Howard of Audrain offered the following Amendment to wit — "Amend by striking out Ten Copies of the Weekly Gazette for each Member" which was lost —

Mr. Bowen offered the following Amendment to wit — "And that they be instructed to have the work done at any Office in either House of the Country when it can be done on the most reasonable terms" which was adopted

Mr. Reed offered the following Substitute to wit "Resolved that the Committee on Printing be instructed to procure the printing of Two hundred Copies of the Governor's Message and one thousand Copies of the inaugural address: and also two hundred Copies of the Rules of this House for the use of the Members: and that they have the work done at the place where it can be obtained on the most reasonable terms: and that they be further instructed to Contract for four Cakes of the bi-

Weekly Gazette for each member of the house to contain the daily proceedings of the Little Legislature - provided they can be procured on reasonable terms - which was lost —

Mr. Hays moved to strike out "ten" and insert "four" in the substitute — which was lost

Mr Howard of Lavaca moved to strike out "ten" and insert "two" which was lost —

The question then recurring on the adoption of the substitute ~~as~~ as Amended the question was put and the substitute as Amended was adopted —

Order of the Day —

The Bill entitled an Act to defray the Contingent Expenses of the little Legislature passed by House and amended and passed by the Senate was taken up - and the Senate amendments ~~was~~ concurred in —

~~On motion the House adjourned to 11~~

~~A.M. Tomorrow —~~

Mr Brazier introduced the following reso-
lution - to wit

"Resolved that the Judiciary Committee be
instructed to inquire into the constitutionality
and expediency of passing a law to stop the Inter
est on all debts when Confederate money has
been tendered in payment of the same"

The Yeas and Nays being called for the vote was taken and resulted as follows - to wit Yeas, Mefrs Speaker, Adams, Allen Barclay, Blake, Birdwell, Butler, Brady, Banton, Brazier, Bush, Buckley, Baker, Bratton, Cooke, Daniel Darden, Emmert, Finley, Frazier, Griffith, Gibbon Glasscock, Howard of Anderson, Howard of Lavacca, Haynes, Hays, Hart, Harrison, Holford, English, Jones, Kyle, Kep, Lollar, Lane, Lacey, Lovejoy, Mabray, Marshall McDonald, Moores, Moffatt, McGuire, Maney, Means, McCarthy, Perkins, Prince, Pendleton, Robertson, Redding Rhea, Robinson, Reid, Ranck, Russell, Ramsey, Slaughter Smith, Sampson, Simpson, Thomas, Tyler, Thaxton, Willis, Wooters, Wilson, Walker, Way. Total 70 — Nays Mefrs Brown, Bowers, De Berry, Patton Total 4. ~~On the~~ resolution was adopted.

On motion the House ad-
journed to 10 A.M. tomorrow —

Journal of
the House for
Nov. 7th — 1863

11-7-63

House of Representatives of
the State of Texas Nov. 4th 1863

The House met according to adjournment
The Roll was called and a quorum being pre-
sent the Journal of yesterday was read
and adopted —

The following Members came forward
presented their Credentials and took the oath
of office — Wm Hunt of the District of Fayette
and Herman Seller of the District of Comal

The Speaker announced the following a-
Joint
special Committee to Consider of the Re-
port of the Military Board of the
State of Texas. to wit Messrs. Buckley, Patton
Lollar. Mc. Lewis Walker Sampson and Rust

Mr. Russell introduced ~~a~~ a Peti-
tion of Sundry Citizens of Live Oak and
Mr. Mallen Counties — ~~Referred~~ Read and by Consent
referred to Committee on Counties and County Business

Mr Darden introduced a Bill to be entitled an Act prescribing the duties of District attorneys in certain cases — Read first time and by Captn refused to Committee on Judiciary —

Mr Sollars introduced a Bill to be entitled an Act to Extend the time for presentation Letting — Read 1st time and by Captn refused to Committee on Public Lands —

Mr Fraley introduced a Bill to be entitled an act to stop the sale of Cloth manufactured at the Penitentiary — for the use of Inmates — Read first time and by Captn refused to Committee on Penitentiary

Mr Brown introduced a Bill to be entitled an Act for the relief of Benjamin Glascock — Read first time and by Captn refused to Committee on Claims and Accounts

Mr. Buckley introduced a Package of Statements and accounts of Eli Kirk which was ordered to be referred to the Committee on Claims and Accounts —

W. Hayes introduced a Bill to be entitled an Act in regard to Divorce and Alimony — Read by Caption and referred to Committee on the Judiciary —

W. Thayer introduced a Bill to be Entitled an Act to prescribe punishment for encouraging desertion from the army or navy of the Confederate States of the State of Texas Read first time and without question referred to the Judiciary Committee

W. M. Gunn introduced a Bill to be entitled an Act to change the Mode of electing County Commissioners — Read first and without question referred to Counties and County Boundaries

Mr. Russell introduced a Bill to be

entitled an Act to establish and define the boundary of the Counties of Lincoln and Mc-Mc Mullen and to repeal Certain Acts therein named — Read first time and without Question to the Committee on County & and County Boundaries —

Mr. ~~Gilchrist~~ Alexander offered the following resolution to wit "Resolved that the Sergeant at Arms be and he is hereby instructed to procure room in the Basement of the Capital and have the same fitted up for the use of the Committee and Clerk of the House of Representatives — which was adopted

Mr. Bailey offered the following resolution to wit "Resolved that a Committee of three be appointed to wait on His Excellency the Governor and request a Copy of his inaugural address for Publication — which was adopted — whereupon the Speaker appointed Messrs Bailey Adams and Pendleton a Committee to carry out the resolution —

Order of the Day

The Resolution in reference to the Standing

of Suspension to be entertained by the House ~~Considered~~ during the Sepsn
which lasts over a day was taken up and
read — whereupon Mr Baker offered the following
substitute to wit "Resolved — That the House will
not entertain or Consider during the present
Sepsn any bills or any other matter of a pri-
vate Character except by the Consent of two
thirds of the members present" to which Mr
Simpson offered the following Amendment
to wit Strike out 2/3 and insert 4/3 —
when upon Mr. Hayes moved to lay
the Substitute
the resolution and amendment on the
table — which was Carried —

Mr Brady Chairman of the committee on Finance made the following report

To the Hon Speaker of the House of Representatives

The committee to whom was refered the report of the Comptroller and Treasurer for the two years ending August 31st 1863 beg leave to report the following Resolution and recommend its adoption

Resolved. That the committee on Printing be instructed to have one thousand copies of the Comptroller's Report and one thousand copies of the Treasurer's Report printed for the use of this House

Respectfully submitted

I. T. Brady

Chairman Com on Finance

Report ~~read and~~ adopted

Mr McGuire made the following Report

To the Hon Speaker of the House of Representatives

The Committee on Printing to whom was refered a resolution of the House instructing them to have printed 1000 copies of the Governors Message, 2000 copies of the Inaugural Address, 200 copies of the Rules of the House, and 10 copies of the Weekly State Gazette for each member

of this House, beg leave to report:

That the committee, in conjunction with the Senate printing committee, made contracts to have 3000 copies of the Governor's Message (2000 for the Senate, and 1000 for the House,) for the sum of $444., the State furnishing paper; which we understand can be procured. We ordered 200 copies of the Rules of the House to be printed as soon as could be. The inaugural Address has not yet been furnished to the printer.

We also contracted for 10 copies of the Weekly State Gazette, for each member of the House.

All of which is respectfully submitted

J. W. McGuire

Chairman

~~Read and adopted~~ accepted

~~To the Hon Speaker of the House of Representatives~~

The

Mr Tyler chairman of the committee on Priviledges and Elections made the following Report

To the Hon Speaker of the House of Representatives

The committee on Priviledges and Elections, to

whom was refered they contested election between A W Eastland and D L McNiel of Bastrop County for a seat in the tenth Legislature of the State of Texas, beg leave to report that after a thorough and full investigation of all the papers before us pertaining to the subject, we find that said Eastland received onehundred and fifty nine votes and D L McNiel received one hundred and fifty three votes giving said Eastland six votes majority and we therefor recommend that he be admitted to a seat in the Legislature

O J Tyler
Chairman

Read and laid over one day

Mr Butler offered the following resolution

Resolved that the Finance Committee enquire into the propriety and expediency of so classifying the lands throughout the State that a uniform price may be assessed thereon in payment of taxation, and report thereon by Bill or otherwise

which was read and adopted

Mr Brazier offered the following resolution

Resolved, that the Finance committee be

instructed to enquire into the practicability of paying the State Troops called ~~into~~ out at the instance of Gen Magruder in the month of December 1862 and also their Transportation and Subsistance and report by Bill or otherwise. Read and adopted

Mr Brazier offered the following resolution

Resolved that the committee on Internal Improvements enquire into the propriety of chartering to Wm S Newman the exclusive right to navigate the Peches River from the mouth of San Pedro creek to the mouth of said river for a term of years and Report by Bill or otherwise. Which was lost

Mr Allen offered the following resolution

Resolved that the committee on Stock and Stock Raising, be instructed to enquire into the expediency of so amending the first section of an act to suspend the operations of the estray laws. Approved February 25th 1863. so as to authorize and require persons who had at the time of the passage of said act estrayed stock on hand, and unsold, to sell, and account for the same agreeably to the provisions of the Estray laws in force previous to the passage of said act

Read and adopted

On Motion the House adjourned to 10 a.m. next Monday, May 6 —

Journals of the House

for ~~Tuesday~~ Thursday 9th Nov 1863

11-9-63

1

House of Representatives of the State of Texas, Monday Feb. 9th 1863

House met pursuant to adjournment — The roll was called and a quorum being present the Journal of last Saturday was read: amended and adopted.

The following members came forward presented their Credentials and took the oath of Office & Sct — J. W. Gunn of the District of Nacogdoches and Angelina — A. S. Lipscomb of the District of Montgomery, Grimes & Brazos D. M. Pender part of the District of Fenton, Limestone and Falls: and Thomas E. Hill of the District of Galveston and Brazoria — and F. F. Foree — W. Robinson introduced the Petition of sundry Citizens of Williamson County praying that the sale of Ardent Spirits be suppressed within the area of 4 miles around the P. Office at Round rock — Read first time and referred to the Committee on Education

Mr Edwards of Lavaca introduced the Memorial of Caro M. Swartz — Read first time and referred to Committee on State affairs

Mr Brown introduced the Petition of F. F. A.

Sherman — 1st time Read, and refer to Committee on Private Land Claims —

~~Mr Colfax introduced a Bill to be entitled an Act to extend the time for perfecting Settlements — Read first time and referred to Committee on Public Lands —~~

Mr Darden introduced a Bill to be entitled an Act to Authorize the use of the Jails of the several Counties for the Custody of deserters and other Offenders against the Military laws — Read first time and refered to the Committee on the Judiciary —

Mr. Adams introduced a Bill to be Entitled an Act to Authorize the Clerks of the District Courts to administer oaths — Read first time and refered to Committee on the Judiciary

Mr Darden introduced a Bill to be entitled an act to Authorize the use of the State Penitentiary for the Custody of Prisoners of war. deserters and other Offenders against the Military laws of the United States and refered to Committee on State Penitentiary —

Mr. Blake of Ohio offered a Joint Resolution in relation to the Territories of New Mexico, Arizona and Colorado — Read first time and referred to Committee on Confederate Relations —

Mr. Porter introduced a Bill to be entitled an Act to regulate the Chief Justices of the several Counties of the State of Texas to be at the County seats of their respective Counties for certain purposes Read 1st time and referred to Committee on State affairs —

Mr. DeBerry introduced a Bill to be entitled an Act to suspend the laws for the Collection of debts, &c. &c. until twelve Months after the Ratification of a treaty of Peace between the Confederate States of America and the United States of America or until otherwise provided by law — Read first time and referred to Committee on Judiciary —

Mr. Brown introduced a Bill to be entitled an Act to amend the 1st 2nd 3rd and 7th Sections of an act entitled "an act to suspend all laws for the Collection of debts and liabilities" approved Dec. 7th 1861 — Read 1st time and referred to Committee on Judiciary —

Mr Walker made the following report
House of Representatives
November 9th 1863

Mr Speaker

The committee on Public Lands to whom was refered a bill to be entitled "An Act for the relief of pre-emption settlers, and to extend the time for the return of field notes, and for the payment of all dues by settlers under the acts authorizing the sale of the public domain. have had the same under consideration, and have instructed me to report the bill back to this House and recommend its passage

recommend E Walker, chairman — Report

~~Read and laid over one day~~

Mr Buckley made the following report
Hon M D K Taylor Committee Room
Speaker H R Nov 9th 1863

The committee on the Judiciary to whom was refered "a Bill to change the name of Mary D Patton to Mary D Sneed" have had the same under consideration, and instructed me to report. That on the 5th February

1856 the Legislature enacted a law providing
for the objects contemplated in the ~~bill~~ bill under
consideration to be obtained in a more sum-
=mary and less expensive manner by ap=
plication to the District Courts of the coun
ties of the residence of the respective parties
~~seeking~~ seeking such relief, than by enacting a
special law in ~~each~~ each cases ~~cases~~, thereby indi=
cating the policy of the State in such
cases, and that in their opinion it would
be unwise and impolitic to depart from
the course thus indicated. Wherefor they
ask to be discharged from the further
consideration of the bill

C W Buckley
Chairman Judiciary Committee

Report received —

~~Read and laid over one day~~

~~Mr Keyes made the following report~~
~~Hon M D K Taylor, Speaker of the House of Representatives~~
~~The committee on Enrolled bills~~
~~ask permission to report that they have had~~
~~under examination~~ "a Bill to to be entitled
An Act ~~making~~ an appropriation to defray
~~the Contingent expenses of the tenth Legislature~~

~~and I am instructed to report the same as properly and correctly enrolled~~

~~H Keyes~~

~~Chairman~~

Mr Griffith made the following report

Committee Room Nov 9th 1858

Hon W D K Taylor

Speaker of the House of Representatives

The committee on Military affairs to whom was refered a "Joint resolution instructing our Senators and requisting our Representatives in Congress to increase the wages of the Non-commissioned officers and privates in the Army and Navy of the Confederate States of America." Having had the same under consideration beg leave to report it back to the House and recomanend its passage.

John L. Griffith

Chairman

Report received ~~and ordered to come up on the table~~

Mr Tyler made the following report

Hon W D K Taylor

Speaker of the House of Representatives

The committee to whom was refered the

contested Election in the case of J.C. McCoy
vs M J Moffatt. beg leave to report that proof
having been made by the defendant Moffat
that McCoy is an Enrolling officer which appears
to the committee to be in conflict with the 25th
Section of the Constitution of the State of Texas.
your committee would therefor respectfully
refer said cases to the House for its consid=
=eration and instruction

Respectfully submitted
O.T. Tyler

Report received

~~Read and laid over one day~~

Mr De Berry offered the following resolution

Whereas! Confederate treasury notes
have from some cause become greatly
depreciated in value to the great in=
jury of the citizens of the State of Texas
and more especially those in the Army
of the Confederate States and of the State
of Texas. therefore

Be it resolved. That the committee
on Judiciary be instructed to inquire
into the authority of the Legislature
under the Constitution to provide
some measure or measures which will

have the effect to ~~appropriate~~ appreciate the value of Confederate treasury notes, and also as to the expediency of such measure or measures and Report by bill or otherwise which was ~~read and~~ adopted.

A Message was received from the Senate informing the House that they had appointed the following Joint committees: ~~Joint~~ 3 ~~Resolution~~ committee on Frontier Protection Messrs Quale, Burney, Moore of Bastrop. Wilson and Selman. and ~~Joint committee~~ on the ~~part of the Senate to examine~~ report of the Military Board. Messrs Throckmorton, Toivers. Wood Harcourt and Mitchell.

Mr Haynes introduced ~~the following~~ Joint Resolutions
tendering thanks to the Officers and Soldiers of the State of Texas for
distinguished gallantry & services on the Field

1st Resolved by the Legislature of the State of Texas
that in consideration of the patriotic services
personal sacrifice, and distinguished gal=
lantry, of all Texan Soldiers, who have been
and are now in the armies of the Southern
Confederacy and State of Texas, battling
for Southern Honor, and Independence
We the Representatives of the State of Texas,
for ourselves, and in behalf of our consti=
tuents, tender to them, both officers and
men, the sincere heartfelt thanks of the
people of the State of Texas.

2nd Resolved; that this Legislature of the State
of Texas, assembled tender for themselves
and the people of the State of Texas, their
sincere heartfelt thanks, to Major Gen J B Hood, and
Brig Gen Thos Green, for their distinguished ~~ser=~~
~~vices~~ devotion, and leadership in the cause
of Southern Independence

3rd Resolved by the Legislature of the State of Texas, that
the resolution first above recited, be printed and
a coky thereof be forwarded to every regiment,
battalion, and independent company, raised in the
State of Texas, to be read on Parade, and a coky
of the 2nd Resolution above recited, before for=
warded to the respective Generals therein named

under the superintendence of the Speaker of this House.

* Mr Banck Bowers offered the following amendment to wit "amend by inserting the words "and of the State of Texas" which was accepted

Mr Brady moved to strike out the second resolution

Mr Buckley moved to suspend the rules which was carried, resolution both read second time and ordered to be Engrossed.

* Mr Brady moved to amend by striking out the the second Resolution.

Mr Slaughter moved to refer the Resolution to and amendments to a select committee of seven - which was carried

Whereupon the chair appointed Messrs Mayes Slaughter, Buckley, Fozcue, Bowers, English and Hart. the committee

On motion the House adjourned to 10 o'clock to morrow

Mr Spence introduced a Bill to be entitled an Act to Authorize the County Court of Johnson and Parker Counties to regulate the pay of the Sheriff of said Counties in Certain Cases — Read 1st time and referred to the Committee on Judiciary —

Mr Brown introduced a Bill to be entitled an Act to suspend all laws and parts of laws Authorizing the Chief Justice of Counties to order Sales of property belonging to estates of deceased persons except in certain Cases until the first day of January 1866 or until Six months after the Close of the present term Shall be terminated before the said names — Read 1st time and referred to "Committee on Judiciary —

Mr Howard of Anderson introduced a Bill to be entitled an act to provide for the support of the families of Texas Soldiers Read 1st time and referred to Committee on State affairs —

Mr Brazier ~~offer~~ introduced a Joint resolution ~~passed~~ Resolving that the Sixth Legislature adjourn on the 4th day of Dec. 1863 sine die

Read 1st time

Mr Gray introduced a joint Resolution
in regard to the Purchase of Brown in Iowa
by Payne & Co with Counterfeit Money —
Read first time and referred to the Com-
mittee on Confederate Relations —

Order of the Day

The Report of the Committee on Privileges and Elections
in the Case of Eastland vs Mc Neil from
Bastrop County was taken up, and ~~the Report~~ read &
adopted —

On Motion the House adjourned to
10 o'clock tomorrow morning —

Journal of the House
of Representatives of
the State on Tuesday
the 10th Nov. 1863

11-10-63

House of Representatives
of the [redacted] of Texas Aug. 10th 1863

Nothing but pursuant to adjournment — the Roll was Called and a Quorum being present the Journal of yesterday was read and adopted —

Mr Buckley made the following report.

Committee Room
Nov 19th 1863

Hon" M D K Taylor
Speaker H R

The committee on the Judiciary to whom was refered "An Act to amend the 1st. 2nd. 3d. and 7th sections of An Act entitled "An Act to suspend all laws for the collection of debts and liabilities on bonds, promissory notes and bills of exchange" approved Dec 21st 1861." have had the same under consideration, and a majority of the committee have instructed me to report the same back to the House, and recommend that the same do not pass.

O W Buckley
Chairman

Report received —
~~and~~ also, the following report to wit:

Committee Room
19th Nov 10th 1863

Hon M D K Taylor
Speaker H R

The committee on the Judiciary to whom was refered a bill to be entitled "an Act to suspend all laws for the collection of debts and liabilities on bonds, promissory notes, bills of exchange and contracts for the payment of money until twelve months after the ~~close~~ ratification of a treaty of peace between the Confederate States of America, and the

"United States of America, or until otherwise provided "for by law" have had the same under consideration and a majority of the committee have instructed me to report the bill back to the House and recommend its passage.

C W Buckley
Chairman - Record

and also the following, to wit:

Committee Room
To the Hon W D K Taylor Nov 9th 1863
Speaker of the House of Representatives

The committee on Judiciary to whom was referred a bill to be entitled an Act to regulate the argument in all criminal cases, having had the same under consideration, a majority of said committee have instructed me to report as follows, That they deem the passage of said bill inexpedient at this time, and herewith return the same, and respectfully ask to be discharged from further Consideration of the same.

C W Buckley
Chairman

reports received.

Mr Darden made the following report

Committee Room
Hon W D K Taylor Nov 9th 1863
Speaker of the House of Representatives

The committee on the Judiciary to whom was refered a bill to be entitled "an Act prescribing the duties of District Attorneys in certain cases therein named" have had the same under consideration, and have instructed the undersigned to report the accompanying Bill as a substitute and recommend its passage

W D Darden
One of the Committee

report received

3rd C

Mr Hays made the following report

Hon W D K Taylor
Speaker of the House of Representatives

Committee Room
Nov 9th 1863

The committee on State affairs. to whom was refered "a bill to regulate the distillation of Ardent or Spirituous Liquors" have had the same under consideration, and after mature deliberation, the committee have unanimously instructed me to report the accompanying substitute, and recommend its passage.

D. W. Hays chairman.

report received;

and also the following report, to wit:

Hon W D K Taylor
Speaker of the House of Representatives

Committee Room
Nov 9th 1863

The committee on State affairs, to whom was refered the "resolution of inquiry" as to whether the transportation of Cotton, to the Mexican frontier, by the citizens of this State, is prohibited, and if so by what authority: beg to report that the committee have been unable to ascertain or learn of any prohibition by the authorities of the State and are inclined to the opinion, that if there is a prohibition, or any restrictions upon the transportation of Cotton, said prohibition, or restrictions proceed from the authority of the Confederate States. We therefore return this resolution to the House and recommend its reference to the Committee on Confederate relations.

D. W. Hays
Chairman

report received

Hon W D K Taylor
Speaker of the House of Representatives

Mr Hays for the Committee on Judiciary made the following report —

Committee Room
Nov 10th 1863

The committee on the Judiciary to whom was refered a Resolution instructing said committee to "enquire into the the propriety of enacting a

"law to punish purchasing under assumed authority
"&c" ask leave to report that they have duly considered the subject, and have instructed me to report the following Bill and recommend its passage

Mr McGuire

one of the Committee

Mr McGuire made the following report received
Hon W D K Taylor

Speaker of the House of Representatives

The committee on Printing, to whom was refered a resolution of the House, instructing them to contract for the printing of 1000 copies of the Comptrollers Report &c, beg leave to report that from information obtained from the Secretary of State, we think it impracticable to have these documents printed. The Secretary of State has corresponded with the printers of Houston and San Antonio and the information elicited is that the printing can not be executed in time for the deliberations of this Session.

Respectfully
D W McGuire
Chairman

report received
Mr Bowyers made the following report
To the Hon W D K Taylor
Committee Room
Speaker of the House of Representatives Nov 9th 1863

The Judiciary committee to whom was refered a bill, to be entitled "an act in regard to divorce "and alimony" and also a Bill to be entitled "An Act "declaring what shall be considered a sufficient grounds for a divorce" have had the same under consideration, and have instructed me to report that in the opinion of the Committee, any legislation in regard to this subject

refered to in these bills, would be inexpedient, at this time, your committee therefor ask to be discharged from the further consideration of the same

M H Bowers
from the Committee

report received

Mr Lollar made the following report:

To the Hon W D K Taylor
Speaker of the House of Representatives

The committee on Counties and County boundaries, to whom was refered "a petetion of sundry citizens of Live Oak and Mc Mullen Counties praying the Repeal of certain acts of the Ninth Legislature, and also "a Bill to be entitled an act to establish and define the boundaries of Live Oak and Mc Mullen Counties, and to repeal certain acts therein named" report, that they have had the same under consideration and find the facts to be in accordance with the statements of the petition, and believing that much injustice has been done by the passage of the acts refered to, they report the bill refered to them back to the House, and recommend its passage

L A Lollar
Chairman

Report received

Mr Keyes made the following report

To the Hon W D K Taylor
Speaker of the House of Representatives

The committee on Enrolled bills ask permission to report that a Bill Entitled an act making an appropriation to defray the Contingent expenses of the tenth Legislature has been ~~properly signed and~~ correctly and properly signed and enrolled, that it was presented to and received

the signature of the Governor on Tuesday the 10th day of November 1863

H Keyes
Chairman Enrolled bills

report received

Mr Haynes made the following report

Hon W D K Taylor
Speaker of the House of Representatives

The select committee to whom a Joint Resolution of thanks to Texas soldiers were refered beg leave to report the following resolutions ~~and amend-~~ ments in lieu of the original resolutions and amendments and recomanend ~~their~~ adoption.

R R Haynes
Chairman of Committee

Report received and substitute read.

Mr. McDonald made the following Report
in writ

To the Hon. W. S. Taylor Speaker of the H. of R. &c

The Committee on Confederate Relations to
which was referred the Joint Resolution instructing
our Senators and requesting our Representatives in
Congress to use their influence to secure the pass-
ing of a law making Confederate Treasury notes
a legal tender" Beg leave to report that they
have had said Resolution under Consideration
and a majority of the Committee instructed me
to report. That recovering the Confederate Govern-
ment as an property of no authority, except
such as is given in the Constitution of the Con-
federate States: and finding in said Constitution
no authority to authorize Congress to pass
such a law: as is contemplated in said Reso-
lution. Thereupon the Committee return said
Resolution to the House and recommend that the
same be not adopted —

J. G. McDonald Ch

Report received —

are also the following Memorials which to be

The undersigned, one of the Judiciary Committee to which was referred various Bills and Resolutions to suspend the Collection of debts generally known as Stay Laws - Report that he has had said Bills and Resolutions under Consideration and with great respect for the Opinion of the Majority of said Committee: regrets that he cannot Concur in the Opinion of the Majority of said Committee, the undersigned believes that any such law as is contemplated in the various Bills and Resolutions above referred to is violative of Sect. 14 of Art 1st of the Constitution of the State of Texas and Sect. of the Constitution of the Conf. States — also which he respectfully submits to the Honorable House

J. G. McDonald one of said Committee —

Report received —

Mr Cook introduced a Bill to be entitled an Act to provide for the Construction of Common by J. R. Baylor Read 1st time and referred to the Committee on Military Affairs —

Mr. Howard of Jasper introduced a Bill to be entitled an Act for the more effectual suppression of illegal issues of paper Money — Read 1st time and referred to the Committee on Finance —

Mr. Butler introduced a Bill to be entitled an Act to regulate the Grand Jurors to examine & report upon the Conduct of the County Treasurers Books, and County Officers Bonds — Read 1st time and referred to the Committee on the Judiciary

W. T. Baker introduced a Bill to be entitled an act to regulate the distribution of Cloth manufactured at the State Penitentiary among the families of Soldiers in the Confederate Army Read 1st time and referred to the Committee on State Penitentiary —

Mr. Cook introduced a Bill to be entitled an act to incorporate the Powder Horn Bayou and Matagorda Bay Navigation Company Read 1st time and referred to the Committee on Internal improvements —

Mr. Russell introduces a Bill to be entitled An Act supplementary to the various laws regulating the organization of new Counties — Read 1st time and referred to the Committee on Counties and County Boundaries

Mr Darden introduced a Bill to be entitled an act to sustain the Currency Read 1st time and referred to Committee on Finance —

Mr Barnes introduced a Bill to be entitled an act to change the time of holding the regular Quarterly terms of the County Courts — Read 1st time and referred to Committee on the Judiciary —

Mr. Sollers introduced a Bill to be entitled an act to repeal all laws for the sale of the public domain — Read 1st time and referred to Committee on Public Lands —

Mr. Emmert introduced a Bill to be entitled an act to amend the law

Section of the road law — Read & Laid over to Com. on Roads and Bridges —

Order of the day —

The Bill entitled an act to extend the time for preemption Settlers was taken up Read the third time and ~~adopted~~ passed —

The Committee Report on the Bill to be entitled an act to Change the name of Mary D. Patton to the name of Mary D Sneed was taken up and the Committee Report adopted —

The Joint Resolution for increasing the pay of our Pages was taken up and on Motion of W. M. Dowell was made the special order for Tuesday next at 11 Am. —

The Joint Resolution in regard to the adjournment sine die of the tenth Legislature was taken up and on motion of W. Kyle was laid on the table —

12

Mr Hays by leave introduced the following report:

Committee Room Austin Texas
November 9th 1863

Hon W D K Taylor
Speaker of the House of Representatives

"The committee on State affairs," to whom was refered the special Messege of Governor F R Lubbock of date Nov 4th 1863; concerning the Flags captured at Richmond June 27th 1862, and at La Fourche July 13th 1863: have had the same under consideration, and would report the following resolutions and earnestly recommend their adoption.

F W Hays
Chairman

Resolved 1st That we have received with feelings of pride and patriotic pleasure, the stand of colors of the 4th New Jersey Regiment, captured by the 5th Texas Regiment in the Battle of Richmond June 27th, 1862 and also a Yankee flag captured by the 4th Texas Cavalry in the battle of La Fourche July 13th 1863.

Resolved 2nd That these standards wrested from our boasting and infuriated foes, are repeated evidences of the heroic and indomitable courage, of Southern soldiers fighting for freedom and national independence their firm and unalterable determination to stand by their country through sunshine and through storms, until the unprincipled enemy is driven from the soil of their native land, and whilst they cover the names of Texas and the Confederate States with imperishable glory, challenge the admiration of the world.

Resolved 3d That these mementoes of Texan chivalry be assigned a place in the archives of the State, and that they be retained, as trophies, glorious alike to the captors, and the people of Texas, proud of

their invincible sons, and as a further token of our admiration these resolutions be forwarded by the Governor and at the heads of regiments above named.

Report received

~~Report and accompanying documents read~~

Ordered.

On motion the House adjourned to 10 o'clock to-morrow

Journal of the House of Representatives of the State of Texas for 11th Sess. 1863

11-11-63

House of Representatives of the
State of Texas Aug. 11th 1863

House met pursuant to adjournment Roll was
called and a quorum being present the Journal
of yesterday was read and adopted —

S. H. Earthman Member from the
County having been declared by the House entitled to his seat
Petition of Pasket & Cannon for certain privileges
his Credentials and took the oath
of Office.

Mr Bush presents the of Sundry
Citizens of Austin County praying for
relief for the assessment and Collection of
said County — Referred without reading
to the Committee on Finance

Mr Foscue made the following report:

Committee Room Nov 10th 1863

Hon M D K Taylor

Speaker of the House of Representatives

The committee on Confederate relations to whom was refered the Joint Resolutions, "Ascerting the claim of the Confederate States to the Territories of New Mexico and Arizonia" have had the same under consideration, and instruct me to report them to the House without amendment, and recommend their adoption

F F Foscue

one of the Committee

and also the following, to wit:

~~Committee Room~~

Hon M D K Taylor

Speaker of the House of Representatives

The committee on Confederate Relations to whom was refered the "Joint Resolutions in regard to purchasing beeves in Texas by Payne & Co with Confederate money" have had the same Resolutions under consideration and instruct me to report the same back to the House without amendment and recommend their adoption

F F Foscue

one of the committee

reports received.

Mr De Berry made the following report

Committee Room Nov 10/63

Hon M D K Taylor

Speaker of the House of Representatives

The committee on Engrossed bills to whom was refered a bill to be entitled an act for the relief of preemption settlers and to extend the time

for the return of field notes and to extend the time for the payment of all dues by settlers under the acts authorizing the sale of the public domain having had the same under examination a majority of said committee have instructed me to to report as follows, That they have carefully compared said bill with the original and find the same correctly engrossed

A W De Berry
one of said committee

report received

Mr Moffatt made the following report:

Committee Room Nov 9th 1866

Hon W D K Taylor
Speaker &c

The committee on Education, to whom was refered the petitions of sundry citizens of Williamson County praying ~~the~~ Legislature to pass a law to prevent the retail Ardent Spirits have had the same under consideration and have instructed me to report that they recommend that the prayer of ~~the~~ petitioners be granted, and offer the accompanying for passage - all of which is respectfully submitted

H J Moffatt
chairman

report received

Mr Thaxton offered the following resolution.

Whereas the War now existing between the United States and the Confederate States of America, will probably continue for several years and require a great amount of labor, on the part of the Confederate States in building forts and fortifications and other military works, therefor:

Resolved that a select committee consisting of one from each Judicial District be ~~appointed~~ appointed to enquire into the expediency and propriety of authorizing the Governor of this State to call into the service of this State, or of the Confederate States, all able bodied male slaves between the ages of eighteen and forty five years, within this State, allowing therefor the same pay, rations and clothing now given to soldiers in the field, and to report by bill or otherwise. which was adopted

Mr. Buckley introduced a Bill to be entitled
an Act to raise one Million of Dollars by the sale
of Callow Bonds for the defence of the State —
Read first time
Read and referred to the Committee on Finance

Mr. Emmet introduced a Bill to be entitled
an Act to regulate the Cultivation of Cotton —
Read 1st time and referred to Committee on Agri-
culture —

Mr Mauzy introduced a Bill to be entitled
an act to Authorize the County Courts of Guadalupe
and Gonzales Counties to regulate the fees of Sheriffs
Clerks in Certain Cases — Read 1st time and
referred to Committee on County Business
Affairs —

Mr Howard of Galveston introduced a Joint
Resolution in relation to the Contract between the
Military Board and Mess Bellamy and Hazard
Read first time and referred to Committee
on Military Affairs —

Mr. Prendergast introduced a Bill to be entitled an act to Amend the 1st Section of an act entitling to forfeiture in certain cases of Bail Bonds and recognizances in cases of Murder passed Dec. 9th 1863 — which Bill was read 1st time and ordered to Commitee on the Judiciary

Orders of the Day

The Bill to be entitled "An Act to Amend the 1st, 2nd, 3rd and 7th Sections of an Act entitled an act to suspend all laws for the Collection of Debts and entitling on Bonds promisory notes and Bills of exchange passed Dec. 7th 1861" — was taken up and ~~the~~ on motion of Mr Stump was laid on the table

The Bill to be entitled "an Act to suspend all laws for the Collection of debts and entitling thereto and for the relief of persons taken in a break of peace between the Confederate States of A. and the United States of A. or under Martial law" was taken up 2nd Read 2nd time and on motion of Mr Bantow ~~was made the Special order for~~ ~~Friday at 11 A.M.~~

The Bill to be entitled "An Act to regulate proceedings in Criminal Cases" was taken up and report of Committee adopted —

The Bill to be entitled an "Act to prescribe the duties of District Attorneys in certain Cases" was taken up. Read 2d time and substituted and Bill ordered to be Engrossed — Committee rule was suspended. Bill read third time and passed —

The Bill to be entitled "An act to regulate the distillation of Ardent Spirituous liquors from certain Articles" was taken up Read second time and the Committee substitute adopted

Mr Jones offered the following Amendment to Bill — "Provided that nothing in this act shall be so construed as to prevent the Corporate Authorities from distilling any of the prohibited articles when the State for Government purposes" which was Adopted —

Mr Brown offered the following Amendment to the Bill "Strike out the Prison in the 9th Section —"

and Mr Butler offers the following Amendment to
Amendment of Mr Brown — & Mr Amend by adding
Rep" . Mr Reed moves to lay the Amendment of
Mayor Brown and Butler on the table — which
was Carried —

Mr Hayne offers the following Amendment to the

"Provided that all persons who have purchased beer shall
have be permitted to dispose of such for authorized by
law for three months from and after the date of
this Act"

Mr Brady moves that the further Consideration
of this Bill be postponed to 11 Am tomorrow —

Mr Buckley by Leave of the House introduced
a Bill to be entitled an act to amend an
act Concerning Common Carriers and defining
their liability in certain Cases — Read 1st
time and referred to the Committee on Judiciary

On motion the House adjourned
to 11 Am tomorrow —

Journal of the House
of Representatives
November 12th 1863

11-12-63

House of Representatives of the
State of Texas Nov 12th 1863

House met pursuant to adjournment. Roll was called and a quorum being present the Journal of yesterday was read and adopted —

Mr Buckley made the following report
Committee Room 12th Nov 1863
Report received —

Hon M D K Taylor
Speaker H R

The Committee on the Judiciary to whom was refered "A bill to change the time for holding the regular quarterly terms of the County Courts" have had the same under consideration, and believing that the contemplated change will be productive of benefit to the best interests of the several counties and save the expense and inconvenience of holding several special terms of said Courts, have instructed me to report the accompanying substitute for the original bill and recommend its passage.

C W Buckley
Chairman

Report received —
and also the following to wit:

Committee Room Nov 11th 1863

Hon M D K Taylor

The committee on the Judiciary to whom was refered the Bill to be entitled "An act to authorize the use of the Jails of the several counties for the Custody of deserters and other offenders against Military Law" have had the same under consideration and by leave to report that in their opinion all possible assistance ought to be rendered to the milit

authorities in the proper discharge of their duties, they therefore report back to the house, and recommend the passage of the Bill.

C W Buckley
Chairman of Judiciary Committee

Report received—
and also the following; to wit:

Committee Room Nov 12th/63

Hon W D K Taylor
Speaker H. R.

The committee on the Judiciary to whom was refered "An Act to authorize the county courts of Johnson and Parker counties to regulate the pay of Sheriffs of said counties in certain cases" have had the same under the consideration, and instruct me to report the accompanying substitute for the original bill and recommend its passage

C W Buckley
Chairman

Report received—
Mr Hays made the following report

Committee Room Austin Tex
Nov 11th 1863

Hon W D K Taylor
Speaker of the House of Representatives

The committee on State Affairs to whom was refered the Reports of the Superintendent and Financial Agent of the State Penitentiary, would respectfully return the same to the House, and recommend their reference to the Committee on the Penitentiary.

J M Hays
Chairman ~~of the~~?

which was adopted—
~~which was adopted.~~

Mr Tyler made the following Report

Committee Room Nov 11 1963

Hon W D K Taylor

Speaker of the House of Representatives

The committee on Privileges and Elections. to whom ~~Leeds~~ refered the contested election between J C McCoy and M J Moffatt of Dallas County, beg leave to report that after examining the papers in the case and purging the polls find that they received 232 votes each. the committee recommended that the seat be declared vacant and that a writ of election issue to fill the same.

Respectfully submitted

C F Tyler

Chairman

report received

Mr Lollar made the following report

Committee Room Nov 11 1963

Hon W D K Taylor

Speaker of the House of Representatives

The committee to whom was refered a bill to be entitled an act to change the mode of electing County Commissioners, beg leave to report to the House a substitute and recommend its passage.

L A Lollar

chairman

~~report~~ report received

Mr Smith made the following report

Committee Room Nov 11 1963

Hon W D K Taylor

Speaker of the House of Representatives

The Committee on Engrossed Bills respectfully report to the House that they find" The bills to be entitled An Act prescribing the duties of District Attorneys in certain cases therein mentioned ~~recited~~

correctly engrossed

Respectfully submitted
Thomas Smith
chairman

report received
Mr Emmert made the following report
Committee Room Nov 11th 1863

To the Hon M D K Taylor
Speaker of the House of Representatives

The committee on Roads, Bridges and ferrys have had under consideration a bill requiring all free white males between sixteen and fifty years of age and all male slaves over fourteen and under sixty years of age to be made liable to work on and clear out the public roads of the state, the committee refers the bill back to the house and recommend its passage

A Emmert
Chairman

report received
Mr Lollar made the following report
Committee Room Nov 11 63

Hon M D K Taylor
Speaker of the House of Representatives

The committee to whom was refered a bill to be entitled an act to authorize the county Courts of Gonzales and Guadalupe Counties, to regulate the pay of Sheriffs therein, in certain cases, have had the same under consideration, finding that these counties have been provided for by an act of the ninth Legislature together with other counties See Chapter 9th " Special Laws we submit the same time back to the House and ask it not pass for the reason above given

L Lollar

report received

Mr Barton made the following report.

To the Hon M D K Taylor

Speaker of the House of Representatives

The committee on Penitentiary to whom was refered, "a bill to be entitled an act to authorize the use of the State Penitentiary for the custody of Prisoners of war, deserters and other offenders against military law" have had the same under consideration, and after mature deliberation unanimously instruct me to report the same back to the House and ask to be relieved of its further consideration. A majority of the committee have instructed me to report the ~~same~~ accompanying Bill as a substitute to the same and recommend its passage

J. H Barton

Chairman

report received

a minority of the committee made the following report

To the Honorable M D K Taylor

Speaker of the House of Representatives

The ~~minority~~ undersigned, a minority of the committee on ~~State Affairs~~ Penitentiary, to whom was committed "a bill to be entitled" an act to authorize the use of the State Penitentiary for the custody of prisoners of war, deserters and other offenders against military laws; beg leave to report

That they dissent entirely from the majority of the committee, in their recommendation that the Penitentiary be used for the custody of prisoners of war, for the purpose of retaliation. They think that the Penitentiary is an institution of such incalculable ~~importance~~ value in the present circumstances of the country, that no measure not absolutely necessary should be adopted, which would be calculated, in any degree, to compromise the safety thereof.

W M Howard

W Holford

report received

Mr. Barton introduced a Bill to be Entitled
"an Act defining what persons are subject to Patrol
"duty" Read first time and referred to the Committee
on Slaves and Slavery,

Mr. Willis introduced a Bill to be Entitled "An
"Act to classify Slave Property according to age"
Read first time and referred to Committee on
Finance —

Mr. Moore offered the following Resolution
to wit "Resolved that the Finance Committee be
instructed to inquire into the expediency of
amending the tax law as to require four per cent
on each one hundred Dollars to be taxed in Specie
upon all assessments of Specie made in each
County in the State: making the assessment of the
Confederate Tax assessor: the basis upon which
the four cents Specie Tax shall be assessed, and
collected — which was adopted —

Mr. Thaxton introduces a Bill to be Entitled
"An Act to incorporate the San Saba College"

Read first time and referred to the Committee on Education —

Also a Bill to be entitled An Act to prohibit the Sale of intoxicating liquors in the neighborhood of the San Luis Mission Colleges" Read first time and referred to the Committee on Education

Mr. Rhea introduced a Bill to be Entitled An Act to Amend the first Section of an Act Entitled An Act to Amend the second Section of an act supplementary to an act to perfect the organization of the State Troops and place the same on a war footing approved Dec 28th 1861 approved March the 7th 1863 — Read first time and referred to the Committee on Military affairs —

Mr Price introduced a Bill to be entitled "an Act to Amend the first Section of an Act to regulate proceedings in the District Courts approved May 15th 1846 — Read 1st time and referred to the Committee on the Judiciary

Mr Bowen introduced a Bill to be entitled "An Act to Amend the first Section of an act defining the Office and duties of Sheriffs approved May 12th 1846. Read 1st time and referred to the Judiciary Committee

Mr Brazer offered the following resolution to wit

"Resolved that the Committee on State Affairs

"be instructed to inquire into the propriety of

"passing a law upon the subject of imposing

"property by Confederate Officers and which by Civil

"other means which was adopted —

Mr. Howard of Lavaca offered the following resolution to wit

"Resolved that during the present Session, no member

"of the House shall speak, on any subject before

"the House, longer than thirty minutes at one time,

"without the Consent of three-fourths of the members

"present" which under the rules was laid over

"one day

The Committee on State affairs by leave made the following

Report to wit

To the Hon. Speaker of the House of Representatives —

Your Committee on State affairs to whom

was referred a Bill requiring the Chief Justices of the several

Counties of the State of Texas to be at the County seats of their

respective Counties for the purpose of aiding the soldiers' families

in getting cloth from the State Penitentiary — have had

the same under Consideration and unanimously in-

structed me to report back the same to the House and

recommend that it do not pass —

Report received — J. M. Ray Ch

Order of the day — Mr Buckley in the
Chair —

The Joint Resolutions instructing our Senators and requesting our Representatives in Congress to use their influence to procure the passage of a law making Confederate Treasury notes a legal Tender in the payment of debts — was taken up - ~~The Committee's Report~~ was read and on motion of Mr. Shanklin the further Consideration of the resolutions was postponed until ~~next~~ Monday next at the hour of 11. am.

The Bill to regulate the distillation of Spirituous liquors was postponed to the hour of 11 a.m. to day. was taken up and the question at the postponement being on the adoption of the Amendment offered by Mr Haynes - the amendment was read — whereupon Mr Sellers offers the following Amendment - to wit - "amend by striking out ~~and~~ $100,000 and inserting $100,000" - and further by adding to the first section "and further provided that the provisions of this act shall not relate to the distilling of alcohol by Apothecaries for Medicinal purposes"

Mr Foreman moved that the Bill and amendment be referred to the Committee on State affairs — which Committee declined Report —

The resolution in reference to the transportation of Cotton to the Mexican Frontier — was taken up & on the Committee's report adopted — and the resolution referred to the Committee on Confederate relations —

The Bill entitled "an act to amend an act entitled an act to punish speculation in Certain Cases approved January 13th 1863" — was taken up and read a second time and ordered to be engrossed — Constitutional rule was then suspended Bill read third time and passed —

The Bill entitled An Act in reg and to Divorce and to declare what shall be sufficient grounds for divorce — and Alimony — was taken up and read, and on motion of W. Slaughter the rules were suspended on the Bill to declare what shall be ground for divorce" was laid on the table — and on motion of W. Buckley the Bill was again taken up and recommitted to the Judiciary Committee — and the Bill in regard to Divorce and alimony was taken up and respectively to be engrossed —

A message was received from the Senate informing this House that the Senate had passed a Bill for the relief of Texas Rangers —

On Motion to Recess adjourned to 9 A.M.

Journal of the Assistant
of Refugees Labors
for the 13th Dist.
1863.

11-13-63

House of Representatives of the State of Texas Aug. 13th 1863

The House met pursuant to adjournment — the Roll was called and a quorum being present the Journal of yesterday was read and adopted —

Mr. W. Gurn presented the Petition of J. J. Stephens which on motion reading referred to the Committee on Claims and accounts —

Mr. Simpson presented the Petition of Peter Horton which on motion reading referred to the Committee on Claims and accounts —

Mr Buckley made the following report

Hon W D K Taylor

Speaker of the House of Representatives

The committee on the Judiciary to whom was refered a bill to be entitled "An Act to amend An Act concerning common carriers and defining their ~~duties~~ liabilities in certain cases" approved February 4th 1860, have had the same under consideration and instruct me to report the same back to the House and recommend its passage with the subjoined amendments

O W Buckley
Chairman

Amend by adding "and no special agreement made in contravention of the foregoing provisions of this section shall be valid"

Sec 2 That this act take effect and be in force from and after its passage.

Report received

and also the following, to wit:

Hon W D K Taylor
Speaker H R

The committee on Judiciary to whom was refered "A Bill to authorize Clerks of the District Court to administer oaths" have had the same under consideration and instruct me to report the accompanying substitute for the original bill and recommend its passage

C W Buckley
chairman

report received.

and also the following to wit:

Hon W D K Taylor
Speaker H R

The committee on the Judiciary to whom was refered a bill to be entitled "An Act to amend the 1st section of an act relating "to forfeitures in certain cases of bail bonds "and recognizances" approved Dec 9th 1861 have had the same under consideration, and instruct me to report the bill back and recommend its passage with the subjoined amendments.

C W Buckley
Chairman

Amend by striking out the words "actually employed"—

report received

Mr Moffatt made the following report

Hon W D K Taylor
Speaker &c

The committee on Education to whom was refered "a bill to be entitled an act to incorporate San Luis Masonic College" have had the same, together with "a bill to be entitled an act to prohibit the sale of Intoxicating liquors in the neighborhood of San Luis Masonic College" under consid-

eration and have ~~the same~~ instructed me to report the same back to the House and recommend the passage of the same

Respectfully submitted
H J Moffatt
chairman

report received

Mr Kyle made the following report
To the Hon M D K Taylor
Speaker of the House of Representatives

The Committee on Private Land Claims, have had ~~the same~~ under consideration. the Petition of F A Sherman by his attorney Edward Linn, your Committee are of opinion that F A Sherman is not entitled to any ~~be~~lief, and have instructed me to report the Petition back to the House, and ask to be discharged from its further consideration.

C Kyle
Chairman

report received

Mr Walker made the following report
Hon M D K Taylor
Speaker H R.

The Committee on Public Lands to whom was refered a bill to be entitled an Act to ~~suspend~~ repeal certain Laws providing for the Sale of the public domain have had the same under consideration and have instructed me to report the same to the House, & to recommend its passage

C Walker
Chairman

report received

Mr Smith made the following report
Hon M D K Taylor
Speaker of the House of Representatives

The Committee on Engrossed Bills, beg leave to report that they have examined the bill to be entitled "An Act to amend the first section of an act ~~to~~ "entitled an act to prevent speculation in certain "cases. approved January 13th 1863, and find the "same correctly engrossed

Respectfully submitted
Thomas Smith
Chairman

Report received

Mr Glassock made the following report

To the Hon W D K Taylor
Speaker of the House of Representatives

The committee on Public Buildings to have instructed me to make the following Report, the Capitol building the roof is in a very bad condition and leaks very bad we therefor recommend that it be covered with hard cedar shingles. the General Land office leaks very bad, the commissioner informs us that when it rained that he could not keep the papers of the office dry; he also informed us that he had to coky several of them over, from having been so frequently made wet. we recommend that it be covered with hard cedar shingles as soon as possible so that the archives of this office can be saved, the Treasurers Building leaks in several places, we recommend that it be covered with hard cedar shingles, the Secretary of State informed us that he had bought 200 thousand cedar shingles and a part of them have been hauled up from the mill, and he had also bought some nails for the covering of the General Land office.

I am instructed by the committee to report the following bill and recommend its passage

Geo W Glassock
Chairman

Report received

Mr Russell made the following report
To the Hon M D K Taylor
Speaker of the House of Representatives
The committee upon the General Land Office to whom was refered a Resolution instructing this committee "to enquire into the expediency of suspending the entry ~~of~~ and location of public lands" beg leave to report, that they have had the same under consideration, and believing the measures indicated in the resolution to be not only a matter of Justice to our fellow citizens now absent from their Homes, engaged in the defence of the country, but that the same would be good policy upon other grounds connected with the present financial condition of the country, instruct me to report the accompanying Bill, to be entitled "an act to suspend the location sale and survey of the Public lands, except in certain cases", and recommend its passage

Chas A Russell
Chairman of the Committee

report received — Mr Haynes made the following report
To Hon M D K Taylor
Speaker of the House of Representatives
The Committee on Slaves and Slavery to whom was refered [redacted] "Bill to be entitled, an act to define what persons are subject to do patrol duty" respectfully report back the Bill to the House with the following amendments, and recommend its ~~adoption~~ passage, to wit, at the end of line 6 of said Bill Sec 1, the following words "all laws and parts of laws to the contrary "notwithstanding, provided no person under "twenty one years of age shall be appointed captain

"of patrol" and at the end of line 8 Sec. 2 of said
Bill the following words. "and remain in
"force until three months after the ratification
"of a treaty of peace between the Confederate States
"and the United States and no longer"

all of which is respectfully
submitted by the Committee

R R Haynes
Chairmen

report received

Mr Buckley made the following report

Hon M D K Taylor
Speaker H R

The committee on the Judiciary to whom was refered "A Bill to require
"the Usual Juros to examine and report
"upon the condition of the Treasurers ~~of the~~
"Books and the bonds of all the County
"officers," have had the same under consideration and instruct me to report that
they ~~have~~ conceive that ample provision
for accountability on the part of such officers ~~has~~ heretofore been made which dispenses
with the necessity for further legislation
on the subject- therefor they return the bill
and recommend that it do not pass

C W Buckley
Chairmen

report received

and also the following, to wit:

Hon M D K Taylor
Speaker H R

The committee on the Judiciary
to whom was refered "An act to amend
the first section of "An Act to regulate pro-
ceedings in the District Courts" approved

May 13th 1846, have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the subjoined amendments

C W Buckley
Chairman

Amend by striking out all after the word "domicil" in 9th line on second page to the word ~~bigibbs~~ "eighth" in line 12 —

Also by inserting "or lien" after the word mortgage in line 20 —

also by inserting the words "or property subject to lien" after the words "property" in line 22 —

report received,

Mr Barton made the following report,

To the Hon M D K Taylor
Speaker &c,

The Committee on State affairs, to whom was refered the memorial of Carro M. Quarles, asking to be relieved of the disability of minority have had the same under consideration and after mature deliberation a majority of the committee have instructed me to report in favor of allowing the prayer of the Memorialist and report the accompanying Bill ~~and~~ its passage

D I M Barton
Chr of said Committee

report received.

Mr. Lovejoy introduced a Bill to be Entitled An Act to regulate Estrays — Read 1st time and referred to the Committee on Stock and Stock raising —

Mr. Hunt offered a Joint resolution in reference to Amending the State Constitution — Read first time and referred to the Committee on Finance

Mr. Thomas offered the following the resolution to wit — "Resolved that the Committee on Finance be instructed to enquire into the expediency of so Amending the revenue laws of the State of Texas as to make the fiscal year Commence on the 1st day of March in each year" — which was adopted —

Mr. Darden introduced a Bill to be Entitled An Act to authorize the Supreme Court of the State of Texas for the Galveston District to hold its Spring Term at the City of Austin. Bill read first time. Constitutional rule suspended - Bill read 2nd time and ordered to be engrossed — Constitutional rule further suspended Bill read a 3rd time and passed —

Mr. Marshall introduced a Bill to be entitled an
Act to regulate the Comptroller to receive certain funds
in payment of the unappropriated lands — Read first time
and referred to the Committee on the Judiciary —

Mr. Bowen offered the following resolution to wit

Resolved that the Committee on Military Affairs be
instructed to enquire into the expediency of any im-
posing on the exportation of Cotton from the State
other than those imposed by laws of the Confederate
States Government. Also to enquire whether there
have been uniform on all the Citizens: and
if preferences or exemptions have been given to
certain parties: to whom and on what Consideration —
And to examine as far as practicable into the manner
in which the despatch of the Confederate Government
with reference to Cotton tends to affect the interest
of the Citizen — (said Committee being authorized for the
purpose of this inquiry to send for persons and
papers) and to report by Memorial to the Commander
of this Military Department by resolution or otherwise
as may be deemed expedient" which was
adopted —

Order of the Day

The resolution in reference to debate in the House was taken up in order and read — and the question being on the adoption of the resolution — The yeas & nays were called for — Mr. McDonald moved to postpone the resolution indefinitely — Mr Reed moved to lay the motion on the table which was Carried — The question then recurring on the adoption of the resolution Mr. Rauch offered the following Amendment to wit "Strike out two thirds and insert a majority of the House — which was adopted — Mr. Simpson then moved to lay the resolution on the table and the yeas and nays being Called for the Vote was taken and resulted as follows to wit Yeas — Mr Speaker, Allen, Blake, Brown, Brady, Barton, Bush, Buckly, Bailey, Bowen, Bratton, Belden, Darden, Eastland, Fosque, Frazer, Griffith, Glascock, Haynes, Nile, Hunt, English, ~~Jones~~, ~~Kyle~~, Keys, Lipscomb, Lollar, Lumpkin, McDonald, Moore, Moffat, McGuire, McCarthy, Perkins, Prendergast, Pendleton, Redding, Rhea, Robinson, Rauch Rufile, Slaughter, Selee, Simpson, Thomas, Ray, Nathan, 44 — Nays Adams, Barclay, Burdett, Butler, Brazeal, Deane, Debny, Emmett, Finly, Gunn, Gibbon, Howard of Lav, Howard of A, Hays, Hart, Hamin, Holgate, Jones, Kyle, Lane, Lacey, Nabray, Marshall, Raney, Means, Patton, Robertson, Reed, Ramsey, Simpson, Tyler, Thaxton, Willis, Wooten, Nelson, Walker — Nathan 36 Nays — Resolution laid on the Table —

Yeas Mr. Speaker, Adams, Allen, Barclay, Blake Brodnax, Butler Brown, Brady, Bunton, Brazer Bush, Bushy, Baker, Bowne, Bratton, Cooke, Daniel, Debny, Darden, Eastland, Emmet, Foscue, Fenley, Frazier, Gwinn, Griffith, Gibbon, Glascock, Howard of A. Howard of L. Haynes, Hayes, Hart, Harrison, Holsey, Kile, Hunt, Jones Kyle, Keys, Lipscomb, Collier, Lane, Lacy, Langston, Mabry, Murchison Mc Donald, Moore, Moffatt, Mc Guire, Mann, Mann, Mc Carthy, Perkins, Patten, Spencergard ~~Dixon~~ Pendleton Roberson, Redding, Rhea, Robinson, Reid, Rencher, Rupell, Ramsey, Slaughter, Smith, Selly, Sampson, Simpson, Thomas, Tyler, Thaxton, Willis, Woolen, Wilson, Walker and Wray making 79 Votes —

The Bill entitled "An Act to establish and define the boundaries of the Counties of Lincoln and Mallheur and to repeal Certain laws therein named" — was taken up read a second time and ordered to be engrossed —

The Joint resolution of thanks to Isaac Rolderry was taken up Read a second time and ordered to be engrossed — Council rule was then suspended Resolution Read a third time and passed by the following Vote

[redacted] —

The Report of the Committee on the Special message of the Governor pursuant Captain Hays was taken up and adopted —

The Bill Entitled an act to prohibit the sale of intoxicating drinks in Round Rock was taken up Read a second time and recommitted to the Committee on Education —

The Bill entitled an act for the relief of [redacted] Mr De Berry offers the following amendment to not insert the words "day of before the word January" Pressman the bill was taken up & Read third time and passed —

Special order for 11 AM. today —

Mr. Force in the Chair — The Bill En

Allen "an act to suspend all laws for the collection of debts and to establish" made the special order for the hour was taken up and read and the question at post pronement being on the Engrossment thereof — Mr. Brown offered a substitute for the Bill and Mr. Stanghley moved to lay the substitute on the table and the yeas and nays being called for the vote was taken and resulted as follows to wit — Yeas — Messrs Adams, Allen, Barclay, Blake, Birdwell, Brady, Brazier, Bush, Buckley, Baker, Bratton, Cooke, Daniel, de Berry, Darden, Eastland, Fosque Finley, Frazier, Glasscock, Howard of Anderson, Howard of Lavacca, Haynes, Hart, Harrison, Holford, Hill, Hunt, Jones, Kyle, Lipscomb, Lollar, Lane, Lacey, Mabry, Marshall, McDonald, Moores, Moffatt, McGuire, Maney Means, McCarthy, Perkins, Patton, Prince, Pendleton, Robertson, Redding, Robinson, Reid, Ranck, Ramsey, Slaughter, Smith, Reele, Sampson, Simpson, Thomas, Tyler, Willis, Wouters, Way, Total 63, Nay Messrs Butler, Brown, Bowers, Chrisman, Griffith, Gibbon, Nay, English, Keys, Lovejoy, Prendergast, Rhea, Thaxton, Wilson Walker Total 15, So the substitute laid upon the table.

Mr. Buckley then moved the Previous question which being seconded was put and Carried and the Vote then recurring on the Engrossment of the Bill the ayes and nays were Called for and taken and resulted as follows to wit— Yeas Mess. Speaks, Adams, Allen Barclay, Birdwell, Brown, Brady, Banton, Brazier, Bush, Buckley, Baker, Bowers, Bratton, Cooke, Daniel de Berry, Darden, Eastland, Emmert, Foscue, Finley, Frazier, Guinn, Griffith, Gibbon, Glasscock, Howard of A, Howard of L, Haynes, Hays, Hart, Harrison, Holford, Hill, Hurst, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacey, Mabrey, Marshall, Moores, Moffatt, McClaire, Maney, Means, McCarthy Perkins, Patton, Prendergast, Prince, Pendleton, Robertson, Redding, Rhea, Robinson, Reid, Ranck, Ramsey Slaughter, Smith, Reele, Sampson, Thomas, Tyler Thaxton, Willis, Woaters, Wilson, Walker and Way Total 76. Nays Messrs Blake, Butler, Logoy, McDonald, Total 4. Bill ordered to be Engrossed.

[redacted]

Mr. Slaughter moved that the Constitutional rule be suspended and that the Bill be placed on its third reading—

Mr. Brown moved that the House adjourn to 9 am. to morrow which was lost—

Mr Cutler moved to adjourn to 4 p.m. to-morrow —
which was lost —

The question recurring on the Constitutional rule — the rule was suspended
and the Bill was read a third time; and the ayes
and nays being called for was taken and
resulted as follows, to wit — Yeas. Messrs Speaker,
Adams, Allen, Barclay, Blake, Birdwell, Brown,
Brady, Barton, Brazier, Bush, Buckley, Baker,
Bratton, Cooke, Daniel, De Berry, Darden, Eastland
Emmert, Foscue, Finley, Frazier, Guinn, Griffith,
Gibbon, Glasscock, Howard of A. Howard of L.
Hayes, Hays, Hart, Harrison, Holford, Hill, Hunt,
English, Jones, Kyle, Keyes, Lipscomb Lollar, Lane,
Lacey, Mabry, Marshall, Moore, Moffitt, Mc
Guire, Maney, Means, McCarthy, Perkins Patton,
Prendergast, Prince, Pendleton, Robertson, Redding
Rhea, Robinson, Reid, Ranck, Ramsay, Slaughter,
Smith, Sampson, Thomas, Tyler, Thaxton, Willis,
Wooten, Wilson, Walker, Way. Total 75. Nays
Messrs Butler, Lovejoy, McDonald, Seele Total 4
and Bill was passed —

A Message from the Senate was received in-
forming the House that the Senate had passed a
Bill for the relief of A. J. Mayo

On motion the House adjourned to
9 o'clock A.M. tomorrow —

Journal of House of Representatives 1700 14 1763

54

1

House of Representatives of the
State of Texas Aug. 14th 1863

House met pursuant to adjournment — the
Roll was called and a quorum being present
the Journal of yesterday was read, amended
and adopted —

The Speaker announced the following
as Committee, under the Joint resolution proposing
to authorize the Governor to muster slaves into the
Service of Thos Clayton, Ch. Baker, Forrest, Frazier, Gibbs
Hayes, Hill, Lowery, Moore, Murray, Means,
McCarthy, Pendleton, Robertson, Reed, Rankin
Stanley, Simpson and Wright —

Mr. Buckley made the following report

To the Hon. the Speaker of the H. of R.

The Committee on the Judiciary — to whom
was referred — "a Bill to be entitled An Act to amend
the first section of an act defining the offence and
duties of Sheriffs approved May the 12th 1846. have had
the same under Consideration and report back the
provisions of the Bill that the object contemplated

so as to limit the term of office of Sheriffs in cases where Vacancies have occured or may hereafter occur by death or otherwise so as to cause the elections for that Officer to be held uniformly with other County Officers on the regular election days in August—

The Office of Sheriff is one Created by the Constitution, and the term fixed at two years without reference to the time of his appointment, and no power exists in the Legislature to extend or abridge his term of time after his election

Whereupon I am instructed to report the Bill back to the House and recommend that it do not pass— C W Buckley Ch

Report received — —

Mr. McDonald made the following Report in writing

To the Hon M D H Taylor

Spk of H of R—

The Judiciary Committee to whom was referred a resolution instructing the Judiciary Committee to enquire into the expediency of staying all debts during the present war by some Chancellor upon the refusal to take Confederate Money or State warrants in payment thereof, have had the same under Consideration and have instructed me to report— That

Articles 1st. Section 10. Clause 1st of the Constitution of the
States of America reads as follows viz - "No State
"shall enter into any treaty of alliance or Confederation
"grant letters of marque and reprisal: coin mo-
"ney. make any thing but gold and silver Coin
"a tender in payment of debts: pass any bill
"of attainder. ex post facto law: or law im-
"pairing the obligation of Contracts: or grant
"any title of nobility"

The said resolution in effect requires the
Committee to enquire into the expediency of ma-
king Confederate Treasury notes and State trea-
sury warrants a legal tender in the payment
of debts by State legislation - Rendering the State
especially and passively prohibitive from making
any thing but Gold and Silver Coin a tender
in payment of debts by the Constitution of the
Confederate States do not deem it necessary to enquire
into the expediency of such legislation as is con-
templated in the resolution under consideration

The Constitution of the Confederate States of America
being the Supreme law of the land it is the duty
of the State legislature to obey its provisions when
clearly expressed — The Committee therefore

report said resolutions back to the House and respect-
fully ask to be discharged from the further consider-
ation of said resolutions — all which is respectfully
submitted to the House

Report No. 2 — J. G. McDonald Ch
said Committee

Mr Marcum of the Committee on Finance made
the following report to wit —
To the Hon Speaker H of R

The Committee on Finance to whom was refer-
red the Petition of Sundry Citizens of Anderson County asking
relief from Shuckpuller Brewer Agents and Collec-
tors of said County beg to report that they have
had the same under consideration and are
of the unanimous opinion that the prayer of
Petitioners ought not to be granted wherefore they
report back the Memorial and ask to be
discharged from further consideration

Report No 2 — W M Marcum
Ch of the Committee

The Ch. of the Committee on Finance made the following Report & Bill

To the Hon. M. D. K. Taylor Speaker H of R

The Committee on Finance to whom was referred a Bill to be entitled an act to raise one Million of dollars by the sale of Cotton Bonds for the defence of the State have Considered the same and instructed me to report unfavorable to its passage

The Committee further instructed me to report as a substitute for said Bill a Bill entitled an act to raise one Million of dollars or so much thereof as may be necessary by the of Cotton bonds to provide for the defence of the State and appropriate money" and recommend its passage

J. T. Brady Ch of Com

Report received —

Mr Hays Ch of the Committee on State Affairs made the following Report to wit —

To the Senate of the Ho of R —

Your Committee on State affairs to whom was referred the Bill to regulate the distillation of and manufacture of liquors from certain articles therein named — together with

Several Amendments have been this returned to substitute for same Bill and recommend its passage. Said substitute Contains the principal features of the original Bill: and has incorporated into it also the substance of two amendments the Committee rejected three of the Amendments offered to them as will be seen from the Reading of the Bill —

H. M. Stamps Ch

Report rec'd —

Mr Prendergast Made the following Report to the Hon M. K. Taylor Speaker of the H of R

The Committee on Finance to whom was referred a Bill to be entitled an Act for the more effectual suppression of illegal issues of Paper Money having had the same under Consideration have instructed me to report the accompanying substitute and recommend its passage —

D. M. Prendergast
Ch of the Committee

Report rec'd —

Mr Slaughter for the Com on Finance made the following report

To the Hon Speaker of the H of R

The Committee on Finance to whom was referred a resolution to enquire into the expe

decency and practicability of paying the State troops called out by Maj Genl R. McGrath in Dec. 1862 and then in service and subsistence have the same under Consideration and authorized me to report the resolution back to the House with accompanying documents from the adjutant Genls Office dated Nov 10 1863 and by leave to be discharged from a further Consideration of the same —

R. F. Stansbury
one of the Committee

Report Read —

The Select for the Com. on Finance were made the following Report & Bill

To the Hon Speaker of the H of R

The Committee to Whom was referred a Joint Resolution to Amend the Constitution of the State of Virginia have had the same under Consideration and unanimously instructed me to return the same to the House and recommend its Reference to the Committee on the Judiciary — J. M. Miller
one of the Committee

Report rec'd —

The Master for the Committee on Claims and Accounts made the following Report

To the Hon Speaker of the H of R

The Com on Claims and Accounts to whom was referred the Petition of Silas Norton have had the same under consideration and unanimously instruct me to report the same back to the House for the want of Substantial evidence to sustain said Norton's Accounts and to be discharged from any further consideration of the same — J. M. Miller Ch of Committee

Report rec'd —

The Chairman of the Committee on Engrossed Bills made the following report to Wit

To the Hon M. D. K. Taylor Speaker of the House of R

The Committee on Engrossed Bills beg leave to report the Bill to define the boundary of the County of Lincoln and Mendocino and to repeal certain laws therein named & Correctly engrossed — They further report

that the Joint resolution of thanks to Major Sedgwick
be Amended

Respectfully Submitted
Thos Smith Chairman

Referred

Mr Pendleton made the following Report to wit

To the Hon Speaker of the H of R

The Committee to whom was referred a Resolution
authorizing the Committee to enquire into the ex-
-pediency of so Amending the Act passed
February 25th 1863 so as to authorize and require per
-sons who had at the time of the passage of said
law estrayed stock on hand and unsold to make
and account for the same agreeable to the pro
-visions of the stray law & have had under con-
-sideration the same, and beg leave to report
a Bill and ask to be discharged

Respt Submd—

E. Pendleton Ch.

Also the following Report to wit—

To the Hon Speaker of the House of R

The undersigned Committee on Stock

Mr Kinney to whom was referred "a Bill to be entitled an act to suspend the Operation of the Stay Laws, for and during the existence of the present war, and for three months after its termination" & all the Acts Cases, Reports February 26th 1863 have had the same under consideration and have directed me to report the bill back and recommend that it do not pass

Respectfully

C. L. Middleton
Chairman

Mr Bay made the following Report in part

To the Hon Speaker House

The Committee on the Judiciary to whom was referred "a Bill to be entitled an act to prescribe punishment for encouraging desertion from the Army and Navy of the Confederate States and the State of Texas" have had the same under consideration and instructed me to report the accompanying substitute for the Bill and recommend its passage

Respectfully

C. B. Bay
Chm of the Committee

Mr. Bowen made the following report to the

House of Reps

The Judiciary Committee to whom was

referred a Bill to be entitled An act to in-

troduce the laws and part of law authorizing

Chief Justice to order Sales of Property be-

longing to estates of deceased persons ex-

cept in certain cases under the first day

January 1866 or after & report after the

close of the present Sess; Should & commend

the same under Consideration and after carefully

examining it have instructed me to report

it back to the House and recommend that

it do not pass —

M. A. Bowen

Chairman —

for the Committee

---

a bill to regulate Estates have instructed me

to return the same and recommend

that it do not pass

E Pendleton Ch

Committee —

Inquire to enquire into the authority of the Legislature under the Constitution to provide some measure or measures which will have the effect to appreciate the value of Confederate Treasury notes known as resolution similar Considerations and instruct me to report that the Legislature is not authorized by clause 8, the Congress of the Confederate States

The Committee feel persuaded that in the wisdom of Congress suitable measures will be adopted which will effect the object contemplated in the above resolutions. The Committee therefore report this resolution back to the House and respectfully ask to be discharged from any further consideration of the same

All which is

J. G. Holmes
Chm of the Committee

Mr. Pendleton made the following report which was

read the Clerk of the House of Reps

The Committee on Elections to whom was referred a resolution requesting the Committee to inquire into the expediency of repealing the stay laws; or so much thereof as may be necessary to prevent attempts of Debtors to prevent their property from being sold under Executions &c. &c. have had the same under consideration & do not deem it necessary to report thereon

E Pendleton Ch

Report read —

Also the following Report is read —

In the House of Reps

The Committee on Elections and Elections to whom was referred a Bill entitled an act to regulate Elections have instructed me to return the same and recommend that it do not pass

E Pendleton Ch

Report read —

Mr Crafford offers a Joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence in passing a law for the purpose of keeping Men in the Militia Service — Read and referred to the Select Committee of one from each Judicial District —

Mr Fraser introduced a Bill to be entitled An Act to Amend the 1st Section of an act for the relief of certain Road-Roads, Counties of the State of Texas approved July 11th 1862 — Read 1st time and referred to the Committee on Internal improvements

Mr. Redding offered the following resolution to wit

"Resolved that the Military Board be and they are
"hereby instructed to procure for our destitute
"families of indigent Soldiers such
"supply of staple drugs as they in their judgment
"may deem adequate to their wants" — Read 2d time and referred to the Committee on Finance

Mr Russell introduced a Bill to be entitled an act to secure the payment of State and County Taxes. Read 1st time and referred to the Committee on the Judiciary

Order of the Day— The Speaker in the Chair—

On motion of Mr. Buckley the Joint Committee on the report of the Printing Board was authorized to employ a Clerk—

Joint Resolution

The Bill entitled an act in regard to the purchase of Peers in Texas by Mssrs Payne & Co— was taken up— Read a second time and ordered to be engrossed— Constitutional rule suspended. Read a third time and Resolution passed—

By leave of the House— Mr Buckley offered the following resolution to wit— "Resolved" That in the general election in August 1863 S. G. Cole was elected to the House of Representatives of the Seventh Legislature from the 75th District in the State: and said Cole has failed to appear and qualify and has gone beyond the limits of the State: and as he owes to the occupied by the Country of Country— Therefore Be it resolved by the House of Representatives that the office of Representative for the 75th Representative District of the State hereby be and is declared Vacant: and that the Governor be requested to order an election to fill same Vacancy— On motion ~~Mr Mr Donald moved that~~ the resolutions be referred to ~~the select~~ committee on Privileges and Elections— ~~Carried~~—

Joint Resolution in ~~regard~~

The ~~Resolution~~ relative to the territories of New Mexico Arizona and Colorado was taken up and read a second time and ordered to be engrossed - Constitutional rule was suspended. Resolution read a third time and passed —

The Bill to be Entitled an act to change the regular ~~g~~ sessions of the County Courts — was taken up and the Committee's substitute was adopted and the question being on the engrossment of the Bill. W Buckley offers the following Amendment viz — in lieu of three days insert one week — which was adopted — and Bill ordered to be engrossed —

The Bill to be Entitled An Act to amend the act to change the ~~use~~ jails of the several Counties of the State for the Custody of deserters and Offenders against the Military laws — was taken up Read a second time and ordered to be engrossed

The Bill to be Entitled an act to change the ~~rule~~ third time and passed —

The Bill to be Entitled An act to ~~repeal~~ authorize the ~~County Courts~~ to regulate the keeping of Sheriffs of the several Counties of the State, was taken up read a second time and ordered to be engrossed

The Bill to be entitled an act to change the

Mode of electing County Commissioners was taken up and the Committee's Substitute was adopted in lieu of the original Bill — Mr Walker offered the following Amendments viz — "Strike out the May term and insert the Second term for 1864 — Mr Mauzy offered the following Amendment to the Amendment viz by ~~substituting~~ Strike out the County Court of any County in said State fail to make the decrees aforesaid at the Second term of said Courts: then it shall be lawful for said Courts to make the said decrees at any regular term after said Second term — which was adopted — Mr Dean offered the following Amendment viz "Strike out Second term and insert first term" which was lost — Mr Hays offered the following Amendment viz "Strike out the word qualified electors for each County and insert Qualified electors for each of said Districts"

Mr Banton moved a reconsideration of the vote on the engrossment Bill to change the time of holding the regular Quarterly terms of the County Courts of the several Counties of the State — which was adopted — On motion the House ~~adjourned~~ adjourned to 9½ A.M. Monday next —

Journal of House
of Representatives for
Nos. 16 to 1869

11-16-63

House of Representatives
of the State of Iowa Dec. 16th 1853

House met pursuant to adjournment —
the Roll was Called and a Quorum being
the Journal of last Saturday was read and
adopted — W. Bailey presented the Memorial of
Robert Mellen — Referred with out reading to
the Committee on Claims and Accounts —

A Message from the Senate was received
informing the House that the Senate had pas-
sed a Bill to
-sed the House be Entitled An Act for the relief
of Robert Price —

a
2

Mr. Brady made the following report.

Committee Room, Nov. 16, 1863

Hon. M. D. K. Taylor,

Speaker of the House of Representatives

— The Committee on Military Affairs have had under consideration " a bill entitled an act compelling persons who claim exemption from Military service because having conscientious scruples against bearing arms to pay into the Treasury an equivolent for personal service", and instruct me to report said bill back to the House and recommend its passage, with the following amendments in the 1st after the words "County Court" strike out "or Notary Public" after the words "Treasurer of this State" strike out all of said section and add the following "or to the assessor and collector of the County in which he resides for the use of the State, the sum of two hundred dollars per month during the time he may be required to perform Military service as an equivolent for personal service; and upon the production of the receipt of the Treasurer of the State or the assessor and collector of the County in which he resides showing that he has paid the sum of money required as above for personal service, also the certificate of the officer before whom he is

House Journals

No. 109

10th LEGISLATURE

SUBJECT MATTER:

November 14th 1863

To

November 23rd 1863

HOW DISPOSED OF:

File Box No. 90

Journal of House
of Representatives from
Nov. 16th 1786

11-16-63

House of Representatives
of the State of Iowa Dec. 16th 1853

House met pursuant to adjournment —
the Roll was Called and a Quorum being
the Journal of last Saturday was read and
adopted — W. Walker presented the Memorial of
Robert Mellis — Refered without reading to
the Committee on Claims and Accounts —

A Message from the Senate was received
informing the House that the Senate had pas-
sed a Bill to
-sed the House be Entitled An Act for the relief
of Robert Price —

Mr. Brady made the following report.

Committee Room, Nov. 16/863

Hon. M. D. K. Taylor,

Speaker of the House of Representatives

— The Committee on Military Affairs have had under consideration " A bill entitled an act compelling persons who claim exemption from Military service because having conscientious scruples against bearing arms to pay into the Treasury an equivolent for personal service", and instruct me to report said bill back to the House and recommend its passage, with the following amendments in the 1st after the words "County Court" strike out "or Notary Public" after the words "Treasurer of this State" strike out all of said section and add the following "or to the assessor and collector of the County in which he resides for the use of the State, the sum of two hundred dollars per month during the time he may be required to perform Military service as an equivolent for personal service; and upon the production of the receipt of the Treasurer of the State or the assessor and collector of the County in which he resides showing that he has paid the sum of money required as above for personal service, also the certificate of the officer before whom he is

required to make the oath prescribed in this section to the effect that he has taken and subscribed said oath, such person shall then be exempted from Military service, but in no case shall such person be exempted from Military service until he complies strictly with the provisions of this act"

All of which is

Respectfully submitted

J. I Brady

report received one of the Committee

Mr Bowers made the following report

To the Hon W. S. K Taylor

Speaker of the House of Representatives

The Committee on military affairs to whom was refered "a Bill to be entitled An act to provide for the construction of five cannon of the invention of Gov J R Baylor" having had the same under consideration have instructed me to report the accompaning Bill as a substitute therefor, and to recomend its passage.

R H Bowers

report received For the Committee

Mr Smith made the following report
Hon M S K Taylor
Speaker of the House of Representatives
The committee on Engrossed Bills have had instructed me to report the bill to be "entitled an act to amend an act to organize "County Courts" approved March 16th 1848 as correctly engrossed

Respectfully submitted
Thomas Smith
Chairman

Report received

Mr De Berry made the following report
To the Hon M S K Taylor
Speaker of the House of Representatives
The committee on engrossed bills respectfully report that they find the following bills and joint Resolutions correctly engrossed. towit
1st A Bill to be entitled an act to authorize the use of the Jails of the several counties for the custody of deserters and other offenders against Military law.
2nd A Bill to be entitled an act to Authorize the County Courts to regulate the pay of sheriffs in certain cases
3, A Bill to be entitled an act to suspend

all laws for the collection of debts and liabilities on bonds promissory notes, bills of exchange and contracts for the payment of money until twelve months after the ratification of a treaty of peace between the Confederate States of America and the United States of America or until otherwise provided by law

4 Joint resolutions in regard to purchasing beeves in Texas by Payne & Co with counterfeit money

All of which is respectfully submitted

A W De Berry

one of said committee

Report received

Mr Griffith made the following report

Hon W S R Taylor

Speaker of the House of Representatives

The committee on Military Affairs to whom was refered the "Joint Resolution in relation to the contract between the Military Board and Billups & Hassell" Having had the same under consideration, beg leave to ~~be discharged~~ report unfavorable, and ask to be discharged from

the further consideration of said resolution

Respectfully
John D Griffith
Chairman Com Military Affairs

Report received and also the following, to wit:

Hon W S R Taylor
Speaker of the House of Representatives
The committee on Military Affairs
to whom was refered the report and account of Capt W W Reynolds a 2 Lt Frontier Regt, beg leave to report that they have had the same under their consideration and request that a select committee be appointed to investigate said account more thoroughly

Respectfully
John D Griffith
Chairman Com on Military Affairs

Report received and adopted

A Message from the Senate by Mr Secretary announcing that the Senate has passed the Bill entitled an act to appropriate certain moneys to refund to the Comptroller Office in the Land Case

Mr Fellis introduced a Bill to be entitled An act to define the Boundary lines between the Counties of Harrison and Marion — Read 1st time and referred to Committee on Counties and County boundaries —

Mr Hayes introduced a Bill to be entitled an act to incorporate the Palmyra Brazos Sulphur water and powder Manufacturing Company — Read 1st time and referred to the Committee on State affairs —

Mr Darden offered the following resolution & read by the House & appropriate the Senate concurring that the Legislature will adjourn on Tuesday the 1st day of December next — adopted —

Mr Buckley introduced a Bill to be Entitled an act respecting Guardianship — Read 1st time and referred to the Judiciary Committee —

Mr Smith offered the following resolution — Resolved that the Judiciary Committee be requested to investigate the Constitutional power and the propriety of depriving those who desert their Colors

or refuse to report for duty in the Militia Service when required by law; of all the rights and privileges of Citizenship in the State and report by bill or otherwise — which was adopted ——

Mr. H Daniels offered the following resolution to wit - "Resolved that the Judiciary Committee be instructed to enquire into the propriety of repealing or Amending all laws requiring legal publication, to be printed in News papers and report by Bill or otherwise" adopted —

Mr. Reed introduced a Bill to be entitled an act to amend the law governing the descents of the estates of deceased persons in Cases where there is no known heirs - legatees or devisees of such estates - Read first time and referred to the Committee on Judiciary —

Mr. McCutchen introduced a Bill to be

Entitled an act to adopt the statutes of the United States and regulations of the

Confederate States of America and to make
return the Military rules of the State of Texas
Read first time and referred to the Committee
on Military affairs —

Mr Bray introduced a Bill to be entitled
An Act to amend the 4th Section of an
Act entitled an Act to provide allowance
for the families and other dependents of those
and volunteers approved March 6th 1863 — Read
1st time and referred to the Committee on State
affairs —

Mr Mooney introduced a Bill to be entitled An Act to amend the 57th Section of an Act entitled an act to regulate proceedings in the County Courts pertaining to the estates of dec'd persons passed March 20th 1848 — Read 1st time and referred to the Judiciary Committee —

Order of the Day —

On Motion of Mr Brady the Bill providing for the raising of a Million of Dollars from the sale of Cotton Bonds for State defence was called up

ance the Substitute of the Committee was adopted as
base of the original Bill — on Motion of Mr Bentley
Mr McDonald in the Chair
the further Consideration of the Bill was postponed to 10.
A.M. tomorrow and made special order for that hour

The Joint Resolution instructing our Senators and
requesting our Representatives in Congress — to use their
influence in Congress to get a law passed by Congress mak-
ing Treasury notes a legal tender. Made special
order 11. A.M. today was taken up and read —

On motion the House adjourned to 3 —
P.M. —

3 P.M. House met
pursuant to adjournment Roll Called and
a quorum present —

The Speaker announced the following
a Committee to Consider of the report of the
Q.M. Gen. of the Frontier Post — to wit Messrs
Ranck Mabray Holford Bratton Reading
Hunt Hile

The question pending at the adjournment
of this House this morning being upon the adoption
of the Committee's report on the Joint Resolution
requiring our delegation in Congress to use their

influence in getting a law passed making Confederate
notes a legal tender in payment of debts —
Mr Gunn moves to lay the appeal on the table
and the Yeas and Nays being called for
was taken and resulted as follows, to wit
Yeas. Mess. Speaker, Allen, Barclay, Birdwell, Butler,
~~Baine~~ Brazier Bush, De Berry, Emmert, Foscue,
Finley, Frazier, Gunn, Howard of A, Hays, Hart, English,
Jones, Lovejoy, Mabray, Moores, Means, McCarthy, Perkins,
Patton, Pearsall, Pendleton, Robertson, Redding, Reid,
Ramsey, Slaughter, Smith, Tyler, Willis, Woolten, Wilson,
Walker. Total 39. Nays. Messrs Adams, Blake, Brady,
Barton, Buckley, Baker, Bowers, Bratton, Cooke,
~~Daniel~~, Darden, Griffith, Gibbon, Howard of L, Hayne,
Holford, Hunt, Kyle, Keys, Lipscomb, Lane, Lacey,
Marshall, McDonald, Moffatt, McGuire, Maney, Rhea,
Robinson, Reele, Simpson, Thomas, Way Total 33.

report taken on this latter —

Mr. Bowen offered the following Amendment to the Amend by striking out the word "striking" at the end of the first Resolution and insert the word "Creating" and Establish in Lieu thereof with the following effect "Creating and Establishing in Lieu thereof with the following effect passage of any law they may pass"—

Mr DeBerry offered the following substitute for the resolution and Amendment to wit

Whereas it is the desire of a majority of the People of Texas that Confederate Treasury notes should be made a legal tender for the payment of debts — Therefore be it resolved by the Legislature of the State of Texas — That our Senators be instructed and our Representatives in Congress requested to use their influence to procure the passage of a law to make Confederate Treasury notes a legal tender for the payments of debts — Provided Congress has the power under the Constitution so to do

2nd Resolved, that the Governor be requested to furnish each of our Senators and Representatives in Congress with a Copy of the preceding

Mr. Howard of L Moved to lay the resolution and Amendment on the table pending the consideration of the bill —

On motion the House adjourned to 9 a.m.

tomorrow

Journal of the House
of Representatives for
10th 17th Sessions 1863.

11-17-63

House of Representatives of the
State of Texas Oct. 17th 1862

Adjourned until tomorrow morning — Roll
was called and a quorum being present the
Journal of yesterday was read and approved

Mr Ivey to introduce the Resolution of
Lamar County Citizens of Lamar County — which was
Read first time and referred to the Committee on
Public Lands —

A message from the Senate was
received announcing the House that Senate
have passed Resolutions and ordered the
Same this 1st Section of an act to
amend Article 14th 1862 to fix the Salary
of the Officers and Clerks thereof

Mr Buckley made the following Report & Bill —

To the Hon Speaker of the H of R

The Committee on the Judiciary to whom was referred a Bill to be entitled "An Act respecting Guardianships" have had the same under consideration, and believing that the bill will supply an omission in the law upon the subject which, in our present condition, is calculable to work great hardships unless it be provided for, instruct me to report the same back to the House, and recommend its passage.

(Signed)

C. St. Buckley,
Chairman

Report received. —

Mr. Simpson made the following report

To the

Hon. M. D. K Taylor,

Speaker House of Representatives.

The Committee on Finance have had under consideration a Resolution concerning the purchase and distribution of drugs, and have ~~had~~ instructed me to report that the committee regard the project as laudable but impracticable. Therefore they beg leave to be discharged from the further consideration of the same —

Respectfully submitted

D. P. Simpson,
one of the Committee.

Report received

H 719

Mr. Butler made the following report:

Hon. M. D. K. Taylor,
Speaker of the House of Representatives:
The Committee on Agricultural Affairs, to whom was referred "A Bill to regulate the cultivation of cotton," have had the same under consideration, and have instructed me to report the same back to the House, and recommend that it do not pass.

Respectfully submitted,
L. P. Butler,
Chairman.

Report received—

Mr. Lollar made the following report:

Hon. M. D. K. Taylor,
Speaker of the House of Representatives:
The Committee to whom was referred "A Bill to define the county line between the Counties of Harrison and Marion, have had the same under consideration, and return the same to the House, and recommend it do pass.

L. A. Lollar
Chairman

Report received—

Mr. Smith made the following report

Hon. M. D. K. Taylor
Speaker of the House of Representatives,
The undersigned is instructed by the Committee on Enrolled Bills to report that the "Joint-Resolution in regard to the Territories of New Mexico, Arizona and Colorado" are correctly enrolled.

Respectfully submitted
Thos. Smith
Chairman

Report received —

Mr. Russell made the following report

Hon. M. D. K. Taylor
Speaker of the House of Representatives.
The Committee on Claims and Accounts, to whom was referred the memorial of Robt. Miller — Assessor and Collector of Bell County, asking relief for the sum of four hundred and forty dollars, received by him for Taxes, in Counterfeit Confederate States Treasury notes, have had the same under consideration, and have instructed me to report the same back to the House, with[out] relief

The Committee are of opinion that to grant relief in such cases would be to open a wide door to frauds and imposition upon the public treasury

They can see no reason why public functionaries should not be held to the same strict degree of vigilance and accountability that is required of agents in the ordinary affairs of life; and under such rule, they believe the claim should be rejected.

C. F. Rysdell—
one of the Committee.

Report received

a 16

Mr Bush introduces a Bill to be entitled an Act for the relief of Assignees and Collectors of Texas — Read 1st time and refers to Committee on Finance

Mr Barlow presents the Petition of John Griffin for relief — Read first time and refers to the Committee on Private Land Claims —

Also the Petition of Abram P. Bee for relief Read 1st time and refers to the Committee on Private Land Claims —

Mr Green offered the following resolution to wit

"Resolved that so much of the Governor's Message as relates to the Erecting of Iron works for making Iron to supply the demand for farming purposes as well as Military be referred to the Committee on State Affairs and that they report by Bill or otherwise" — which was adopted —

Order of the Day

The question coming on concurring on delegation in Congress in regard to making Corporate Treasury notes a legal tender for the payment of debts - pending the Consideration when the House adjourned on Saturday was taken and the question pending at adjournment being the motion of Mr Howard of Md, to lay the resolution and amendments on the table the yeas and nays were called for and taken and resulted as follows to wit — Yeas Messrs Blake, Brown, Brady, Banton, Bush, Buckley, Baker, Bowers, Bratton, Barden, Eastland, Griffith, Glascock, Howard of L, Hays, Key, Lollar, Lacey, Mc Donald, Moffatt, McGuire, Maney, Rhea, Robinson, Reid, Rancke, Russell, Lisle, Simpson, Simpson, Thomas, Thaxton, Walker, total 33 Nay Messrs Speaker, Adams, Allen, Barclay, Birdwell Butler, Brazier, Cooke, Daniel, De Berry, Emmert, Foscue, Finley, Frazier, Quinn, Gibbon, Howard of A, Haynes Hart, Holford, Hunt, English, Jones, Kyle, Lipscomb, Lane, Lovejoy, Mabray, Marshall, Moores, Means, Mc Carthy, Perkins, Patton, Prendergast, Prince, Pendleton, Robertson, Redding, Ramsey, Slaughter, Smith, Tyler, Willis, Wooters, Wilson, Way total 47

and the question occurring on the adoption

of the Substitute and amendment
Mr. Butler Buckley moved that the further ~~Consid~~
Consideration of the resolution Substitute and amendments
be postponed to the 20th. of Dec. inst — and
the Ayes and Nays being called for were taken
and resulted as follows to wit —

Yeas — Messrs Speaker, Allen, Blake, Brown, Brady
Banton, Bush, Buckley, Baker, Bowers, Bratton,
Darden, Eastin, Griffith, Gibson, Glasscock,
Howard of L, Holford, Kyle, Keys, Lipscomb, Lollar, Lacy
McDonald, McGuire, Maney, Patton, Rhea, Robinson,
Ranck, Russell, Reele; Sampson, Simpson, Thomas,
Thaxton, Walker, Total 37 Nays Messrs Adams, Barclay,
Birdwell, Butler, Brazier, Cooke, De Berry, Emmert,
Fozcue, Finley, Frazier, Guinn, Howard of A, Haynes,
Hart, Harrison, Hill, Hunt, English, Jones, Lane,
Lovejoy, Mabray, Marshall, Moores, Moffatt, Means
McCarthy, Perkins, Prendergast, Prince, Pendleton,
Robertson, Redding, Reid, Ramsey, Slaughter, Smith,
Tyler, Willis, Wooters, Wilson, Way, Total 43

Mr Chairman — when upon Mr. Buckley moved to postpone the further Consideration of the resolution Substitute and amendment until 7 P. M. today — which motion Carried and the further Consideration of the resolution is made the Special order for 7 P. M. this evening —

The time to which the Bill to amend

an Act to authorize a loan of Dollars from the Bank of Cotton
for the defence of the State &c.
bonds, & issue another the same was taken
up and the question at present pending
being on the engrossment of the Bill — Mr. DeBerry
offered the following Amendment to wit. "Amend by
adding to Section 3rd and the Governor is hereby
authorized to require of the Agent or
"person in whose hands the same may be placed
"such security as he in his judgment may
"deem sufficient to secure the faithful per-
"formance of his duties" — and during the consideration of the Bill
Mr McDonald offered
the following amendment to the amendment. "Provided
"that the Compensation of the agent appointed by
"the Governor to negotiate said Cotton Bonds, shall
"not exceed the sum of twenty-five thousand dollars
which pending the consideration
by leave of the House was after discussion was
withdrawn. and the question then recurring on the
adoption of the Amendments by Mr. DeBerry when
upon Mr. Kyle moved to lay the Amendments on
the table. which was carried — and the Amend-
ment laid on the Table ——

Mr. M. Donald moved the Previous question
on the Engrossment of the Bill which Being
the question was put, and
Resolved in the affirmative. The Bill was ordered to be en-
grossed. The Constitutional rules was then suspended
Bill read a third time and passed by the following
vote to wit — Yeas — Messrs Speaker Adams, Allen,
Barclay, Blake, Birdwell, Butler, Brown, Brady, Barton,
Brazier, Bush, Buckley, Baker, Bowers, Bratton, Cooke,
Daniel, Darden, Eastland, Eminent, Foscue, Finley,
Frazier, Gunn, Griffith, Glasscock, Howard of A.
Howard of L. Hays, Hart, Holford, Hill, Jones, Kyle,
Key, Lipscomb, Loller, Lane, Lacey, Lovejoy, Mabry,
Marshall, McDonald, Moores, McGuire, Maney,
Means, McCarthy, Perkins, Patton, Prendergast,
Prince, Pendleton, Robertson, Redding, Rhea,
Robinson, Russell, Ramsey, Slaughter, Reed,
Sampson, Simpson, Thomas, Tyler, Thaxton, Will
Wooters, Wilson, Walker, Way. Total 71 Nays
Messrs Brazier, De Berry, Gibbon, Haynes, English,
Moffatt, Reid, Smith, Total 8 —

Mr Buckley moved to reconsider the Vote
last passing the Resolution ordering
our Resolution and requesting our representation to use their
influence to procure the passage of a law making treasury
notes a legal tender — which was carried —
Mr Buckley then moved to make it the special
order for 7 P.M. to-morrow which was carried —

The Speaker announced a Communication from the Chair
on the matter of the Contest from Dallas
County which was referred to the Committee
on Privileges and Elections —

By leave of the House W. Bowers pre-
sented Papers relating to the land claims of
James L. Burris and Samuel Rainwater
which was referred to the Committee on
Private Land Claims —

Mr Hays by leave of the House intro-
duced a Bill to be entitled an act making
an appropriation for the mileage and per diem
pay of the Members and the per diem pay
of the Officers of the 10th Legislature. Read
1st time and referred to the Committee on
Finance —

On motion the House adjourned
to 9 o'c. A. M. tomorrow

Journal of the House
of Representatives
for the 18. Sess.
1863

11-48-6

House of Representatives
of the State of Texas Nov. 18th 1863

House met pursuant to adjournment —
The Roll was Called and a quorum being
present the Journal of yesterday was
read and adopted —

Mr Mowery of Co. presented the Pe-
tition of Sd. Mayor &c. praying relief — Was
read and referred to Committee on
State Affairs —

Mr Buckley presented the Petition of
Sundry Citizens of Fort Bend County pra-
ying relief — Was read & referred
to the Committee on State Affairs —

Mr Hayes presented the Petition
of Francis L. Lincecum praying Relief — Was
read & referred to the Committee on Private
Land Claims —

Mr. Brady made the following report.

Hon. M. D. K. Taylor
Speaker House of Representatives.

Sir:- The Committee on Finance, to whom was referred "A bill entitled an act to exempt certain officers and Soldiers therein named, from the payment of a poll tax, and from the payment of an advalorem tax, on an amount of property therein named." have considered the same, and instructed me to report it back to the House and recommend that it do not pass.

The Committee fully appreciate the laudable objects of the bill, but regret that they cannot be attained because the same is in conflict with Sec. 27, art. 6. of the Constitution of the State, which requires that taxation shall be equal and uniform throughout the State.

All of which is respectfully submitted-

M. F. Brady,
Chm. of Committee

Report received.

Mr. Willis made the following report

Hon. M. D. K. Taylor,

Speaker of the House of Reps—

Your Committee on Claims and Accounts, to whom was referred a "Bill to be entitled an Act for the relief of George W. Glascock" have had the same under consideration, and the Committee ~~~~ unanimously instructed me to report the bill back to the House, and recommend that passage of the same: by inserting "Extra" before "work" and "Extra" before "mental," and striking out all after the word "Lunatic Asylum."

L. M. Willis
Chairman of Com.

Report received

Mr. Moffat made the following report:

Hon. M. D. K. Taylor,
Speaker House of Repo.

The committee on Education to whom was recommitted the report of the committee of Nov. 9th, together with a Bill reported by them, for the relief of sundry citizens of Williamson County, have examined the same, and instruct me to report back to the House the accompanying bill together with the petition of said citizens of Williamson County, and recommend the passage of the Bill, in compliance with the prayer of said petitioners, and ask to be discharged from the further consideration of the same. All of which is respectfully submitted

Report received — W. D. Moffat
Chairman

Mr. Mays made the following report:

Hon. M. D. K. Taylor, Speaker of the House of Representatives — Your Committee to whom was referred the "Bill to incorporate the Palmyra and Brazos Manufacturing Company" have had the same under consideration, and have ~~me to report~~ returned instructed me to return the same to the House, and recommend its passage.

Report received

S. M. Mays
Chairman

Mr. Barton introduced a Bill to be entitled an act to ain Enrolling officers in the discharge of their official duties — Read 1st time and referred to the Committee on the Judiciary —

Mr. Walker introduced a Bill to be entitled an act to amend the 754 Articles of Oldham and Shuh's Digest entitled an act pertaining to Estates of deceased persons — Read 1st time and referred to the Committee on the Judiciary —

Mr Emmett introduced a Bill entitled an act to prevent the hauling in Cotton when the Waters from ten of the State of Texas — Read 1st time and referred to the Committee on State affairs —

B
6

Mr. Haynes introduced a Bill to be entitled an act to provide for a Digest of the laws of Texas — Read 1st time and referd to the Committee on the Judiciary —

Mr Hart introduces a Bill to be entitled an act to incorporate the Texas Manufacturing Company — Read first time and refd to the Committee on State affairs —

Mr Mooney introduces a Bill to be entitled an act to encourage the Manufacture of Iron — Read first time and refused to the Committee on State affairs —

Order of the Day —

The Speaker announces from the Chair a Communication from the Rt Revd Bishop Gregg Chaplain of the House tendering his resignation of the Chaplainship of House which was ~~refused~~ accepted —

Mr. Bailey Moved that the House proceed to the election of a Chaplain which was Carried when upon Nomination were de Carried in order; and Mr Glascock putting in nomination the Revd the name of Mr J. M. Phillips — and Mr Smith put in nomination the name of the Revd J. Butler Mr Hill the name of the Revd W. Smith and Mr DeBerry the name of the Revd Mr. Dunlap and the Ballot being taken resulted as follows to wit — For Mr Phillips 54 Votes — For Mr Butler 1 Vote — For Mr Smith 7 Votes — for Mr Dunlap 19 Votes — and Holland 1 Vote and the Revd W. Phillips having received a Majority of all the Votes Cast was declared duly elected Chaplain of the House of Representatives for the Tenth Legislature

From the Senate

The Speaker announces a Message from the Governor in relation to a supplementary Report of the D.C. W.C. of the Mt. Regl. R.R.Co. and also in regard to the Ex Cam Salmon on the Northwestern Frontier of the State — The Report of the Quarter Master of the Mt. Regt. R.R.Co. was referred to the Select Committee to whom was referred his general Report: and the Communication from the Military Board in regard to Salmon was referred to the Committee on State Affairs

On Motion of Mr. Slaughter the report of the Committee on Privileges and Elections in the matter of the Contest for the Seat for the Dallas District — was taken up — when upon Mr. Conner's motion that all the papers in the possession of the House in the Case of Jno. C. McCoy Contestant and H. J. Moffatt defendant relative to the Contested Seat in the House from the Dallas District — be recommitted to the Committee on Privileges and Elections with instructions to report back to the House all the facts

and her testimony brought before them in the matter.

Mr. Hays offers the following substitute for the motion - to wit "Resolved that the Committee on Privileges and "Elections" be requested to return the testimony referred "to them on yesterday in relation to the contested "Election between J. C. M. Coy and H. J. Moffatt, to this "House immediately" — Mr Prendergast moves to lay the motion and substitute on the table which was Carried — The question then recurred on the adoption of the Committee's Report — Mr. Moore the previous question which being demanded ~~A roll~~ the ayes and nayes were called for and taken and resulted as follows to wit — Ayes — Messrs Speaker, Adams, Allen, Barclay, Birdwell, Butler, Brown, Brady, Banton, Bush, Buckley, Baker, Cooke, Daniel, De Berry, Durden, Eastland, Emmett, Frazier, Gunn, Gibbon, Glasscock, Howard of A, Howard of L, Haynes, Hays, Hart, Harrison, Holford, Hill, Hunt, English, Jones, Kyle, Lipscomb, Lane, Lacey, Lovejoy, Mabray, Marshall, Moores, McGuire, Maney, Means, McCarthy, Patton, Prendergrast, Robertson, Rhea, Robinson, Ranck, Ramsey, Slaughter, Smith, Sampson, Simpson, Thomas, Tyler, Thaxton, Willis, Wooters, Walker, Way 2 total 64 Nays Messrs Blake, Bowers, Bratton, Finley, Keyes, Lellar, McDonald, Perkins, Prince, Pendleton, Redding, Reid, Russell, Reele, 2 total 14

Mr. Rhea offered the following resolution to wit

"Resolved that in view of the great wants of the State in the various manufacturing departments — the Committee on Finance be requested to investigate the propriety of raising a sufficient fund by sale of Coupon Bonds or otherwise for the purpose of introducing into the State such machinery as is necessary to the development of its manufacturing interest and report by Bill or otherwise" — which was adopted —

Mr. M. Carthy offered the following resolution to wit. "Resolved that the Committee of the House of Representatives on Stock and Stock raising be instructed to enquire into the expediency of extending the time for the recovery by law of Stolen ~~property~~ neat cattle and report by Bill or otherwise — which was adopted —

On motion The House adjourned to 7 P.M. this Evening —

my P.M.

Council met pursuant to adjournment —
The roll was called and a quorum being
present The resolution Instructing on
Reservation and requesting our representatives
in Congress to use their influence in pro-
curing the passage of an act making
Confederate Notes a legal tender
in the payment of debts. ~~[illegible]~~ Made the Spe-
cial order for this hour was taken up
The question pending at adjournment
being upon the adoption of the substitute
offered by Mr. DeBerry The question was
put and the substitute was rejected —
the question again occurred on the adop
tion of the Amendment offered by
Mr. Brown to the original resolution —
Mr. Yeager offered ~~the following~~ substitute
~~in lieu~~ "Resolved" for the original resolution
and the Yeas and Nays being called for

vote Taken and resulted as follows to wit

Messrs Sheaks, Adams, Bailey, Barton, Brazer, Cook
Forcee, Fuller, Frazer, Gibbon, Howard of L, Hayes, Hayes
Harmon, Holford, English, Lowe, Kyle, Lowry,
Marshall, Prendergast, Pendleton, Reed, Smith,
Tyler, Willis Yeas 26 — Hayes Allen, Barclay,
Black Burdwell, Brown Brady Bush Buckly
Butler Brown Bradley Daniel, DeBuy Dunn
Eastland Emmert Gunn Griffith Glasscock
Howard of A. Hunt, Hays Lapsley Lollar Lansday
Mabray McDonald Moore McGinn Maury Means McCarthy
Parker, Pallen Robertson Rhea Robinson Randle Russell
Ramsay Slaughter Reuben Sampson Simpson Thomas Thurston
Woolen Wilson Walker May Noes 37 —
which rejects the resolution —

Mr Gibbon then moved the previous question

~~on laying the amendment on the table and~~ which being seconded ~~by~~ the yeas and
nays were ~~being~~ called for ~~and~~ Carter and resulted
as follows to wit — Yeas — Messrs. Adams
Allen Barclay Burdwell Butler Brown Brady Burton
Brazer Bush Buckly Baker Cook Daniel DeBuy
Dunn Eastland Emmert Forcee Fuller Frazer
Gunn Griffith Gibbon Howard of A Hayes Hayes
Hait Harmon Holford English Lowe Kyle Lollar
Lane Lacy Lowry Mabray Marshall McDonald
McGunn Maury Means McCarthy Parker Pal[illegible]

Rudleston Robertson Rhea Robinson Reed Russell
Russell Ramsay Slaughter. Smith Sulsbury
Simpson Thomas Tyler Thurston Tellis Wooten Wilson
Walker and Way — 68 — Nays Blake Brown Bratton Glas.
Cook Howard of L. Keys Lipscomb Mooney Pendergast
Potter. 9 —

The question then being on the engrossment of the
original resolution the yeas and nays
were called for and taken and resulted
as follows, to wit — Yeas — Messrs. Speaker,
Adams, Allen, Barclay, Birdwell, Butler, Bra=
zier, Cooke, Daniel, DeBerry, Emmert, Fossett,
Finley, Frazier, Guinn, Howard of Jen — Hart.
English, Joiner, Lane, Lonejoy, Mabray, Mar=
shall, Moore, Nigan, Pendergast, Pendle=
ton, Robertson, Ramsay, Slaughter, Smith
Willis, Wilson — Total 33 — Nays Messrs.
Blake, Brown, Brady, Banton, Bush —
Buckley, Baker, Barnes, Bratton, Darden
Eastland, Griffith, Gibbon, Glasscock,
Howard of Lavaca, Haynes, Hays, Harrison
Holford, Kyle, Keys, Lipscomb, Loller,
Lacey, McDonald, McGuire, Maxey, Mills
Carthy, Perkins, Patton, Rhea, Robinson,
Reid, Ranck, Rupell, Sells, Sampson,
Simpson, Thomas, Tyler, Thaxton, Wooten
Walker, Way — Total 44. So the House refused
to engross the resolution

The House adjourned to 10 a.m. Tomorrow

Journal of the
House of Representa-
tives for Sess. 9th
1863

11-19-63

House of Representatives of
the State of Texas Nov 9th 1863

House met pursuant to adjournment Prayer
by the Chaplain. The Roll was Called and a
Quorum being present the Journal of yes-
terday was read and adopted ——

W. Buckley presented a Communication
on behalf of Gov. E.R. Bayley — Read &
Laid and referred to the Committee on
State affairs —

"W. Cook presented the Petition of Thos.
N. Haynes for relief — Read first time
and referred to the Committee on private
Claims ——

Mr. Buckley made the following report,
Hon. M. D. K. Taylor,
Speaker of the House of Reps.—
The Committee on the Judiciary,
to whom was referred "A Bill to be entitled
'an act to aid Enrolling Officers in the
discharge of their official duties," have
had the same under consideration, and it
being the opinion of the Committee that the
object sought to be attained by the pro-
visions of the bill, should be promoted
by authorities of the State in all such cases
as those contemplated by the bill; and
that it contains all that is necessary for
that purpose, unanimously instruct me
to report the same back to the House, and
recommend its passage.
(Signed) C. W. Buckley
Chairman—

Report received—

Also the following report,
Hon. M. D. K. Taylor
Speaker of the House of Reps.—
The Committee on the Judiciary
to whom was referred "A Bill to be en-
titled an act to secure the payment of
State and County Taxes" have had the same
under consideration, and unanimously
instruct me to report that they deem it
inexpedient to legislate upon the subjects
embraced in the bill, during the continuance
of the existing war; therefore return the

bill ~~to the House~~ and recommend that
its do not pass—

Signed— C. M. Buckley
Chairman

Report received—

Also the following report:—

Hon. M. D. K. Taylor—
Speaker of the House of Repr—

The Committee on the Judiciary, to
whom was referred a "Bill to be entitled an
act to amend the 51st Sec. of an act en-
titled an act to regulate proceedings in
the County Courts, pertaining to the estates
of deceased persons, passed March 20th,
1848," have had the same under consider-
ation, and instruct me to report: That to
make the proposed change the existing
law would be productive of no ~~good~~
substantial good, and of much additional
cost to estates, and impose an unne-
cessary labor upon the several
Chief Justices and Clerks of the County
Courts— they therefore recommend that
the bill do not pass—

Signed C. M. Buckley,
Chairman

Report received

Also the following report;

Hon. M. D. Taylor,

Speaker of the House of Reps—

The Committee on the Judiciary, to whom was referred "A Bill to amend the 754th Article of Oldham's & White's Digest entitled an act pertaining to estates of deceased persons," have had the same under consideration, and unanimously instruct me to report that they deem it impolitic to make the change in the law that is contemplated by the bill, and recommend that it do not pass—

Signed C. W. Buckley,
Chairman

Report received —

Also the following report;

Hon. M. D. Taylor—

Speaker of the House of Representatives

The Committee on the Judiciary, to whom was recommitted "A bill to be entitled an act declaring what shall be considered a sufficient ground for a divorce," have again maturely considered the bill, and unanimously instruct me to report; that the marriage tie is, above all others, one that should be held sacred and not be severed hastily, or upon slight grounds;

and in their opinion, the several grounds already recognized by law, a justifying a decree of divorce, are amply sufficient for all cases that have occurred, or may hereafter occur, in which the good of society will be promoted by a severance of the sacred bonds of man and wife- Wherefore they adhere to their original reports and recommend that the bill do not pass

Signed C. N. Buckley
Chairman

Report received

Also the following report:

Hon. M. D. L. Taylor,
Speaker of the House of Repr-

The Committee on the Judiciary, to whom was referred a Resolution of the House, instructing them to enquire into the Constitutionality and expediency of passing a law to stop the interest on all debts where Confederate money has been tendered in payment of the same"

have had the subject under consid=
eration, and a majority of the com=
mittee are of the opinion, that the
legal or Conventional interest ac=
cruing or to be accrued upon written
Contracts as much as the considera=
tion for which the obligations were
executed. and if so, of which they
entertain no doubt, is moved violate
the 14th Sec. of the Bill of Rights, for
which reason they instruct me to
ask the House to be discharged
from the further Consideration of
the subject—

Signed, Wm. W. Buckley
Chairman

Report Received

and also
~~Mr Buckley made~~ the following ~~report~~
Hon M D K Taylor
Speaker H R

The Committee on the Judiciary to whom was refered a Bill to be entitled "an act to amend the law governing the disposition of ~~entails~~ estates of deceased persons" have had the same under consideration, and respectfully report.

That the passage of such a law, as is contemplated by the provisions of the proposed bill, would be attended with difficulties in the proceedings in the Courts, by causing a new and independent issue to be tried in every suit instituted by an Administrator or Executor to enforce the payment of a debt due the estate he represents, one in fact, in the nature of things that cannot, with certainty be determined, and it is a fundamental rule of Judicial proceeding, upon issues of fact to lease no judgement, or decree thereon, unless it will in legal effect be conclusive of the fact,

The bill proposes in all such cases, as above refered to, to authorize the defendant to allege and prove, that when the estate to which he is indebted, shall finally be wound up, that it will escheat to the State for want of heirs, There can be no escheat until after an estate has been fully administered, then, and not till then it is possible for the Court to make a decree to that effect.

An eslate is not fully, administered and completely as long as there is an outstanding debt due to, or by it, and until the last moment of its administration the law presumes that heirs will appear. The law contemplated even further, by providing that heirs may recover estates even after they have been escheated and been paid into the State Treasury.

If the bill under consideration should become a law, a party indebted to an estate of a deceased person, upon alleging and proving that the estate might, or would, on being fully administered, escheat to the State for want of heirs, pay off and discharge his indebtedness in a currency worth perhaps, only ten cents on the dollar.

In such a case if no heir should appear until after the estate was closed, escheated and paid into the State Treasury, only our tenth of the actual indebtedness to such estate would reach the Treasury of the State, Suppose heirs showed afterwards appear and demand the assets from the State Treasury, would ~~the~~ it be just or right for the State to pay them only one tenth part in value of the estate of their ancestor? Would it not impair

their rights of property, by legislative action, in violation of the Constitution: would it not be divesting their rights of property by a Judicial proceeding, to which they were not parties, and not "by and in course of the law of the land"

The committee are of the opinion that no other than an affirmative response can be made to each of the propositions.

Suppose the estate should be insolvent, would not the operation of such a law be to force a creditor to receive pay in a currency under par, and thereby impair the obligation of contracts, and make Confederate Treasury notes a legal tender? The proposition admits of no denial,

~~The Committee are of the opinion that no~~ They therefore instruct me to report the bill back and recommend that it do not pass

Report received

C W Buckley
Chairman

Mr Blake made the following report

Committee Room

Nov 16th

The committee on Counties and County boundaries to whom was referred, "a bill to be entitled an Act supplementary to the laws regulating the organization of new counties" have had the same under consideration and instruct me to report the same back to the House, with a substitute which they recommend to pass. The original Bill purports to be a general law which they deem inexpedient to pass at this time. The substitute is reported at the instance of the mover of the Bill as covering the only case before us demanding that species of legislation, and is entitled "A Bill to be entitled and act to provide for the organization of the County of Mc Mullen and to attach the same to the 14th Judicial District."

Bennet M Blake
One of the Committee

report received

Mr Gaup made the following report

Hon W D K Taylor
Speaker &c

The committee on State Affairs to whom was refered the "Petition of James Mayors Assessor and Collector of Anderson County," asking to be relieved from a part of the Specie Tax for 1861: have considered the same, and beg to report; that a petition of the nature has been refered to the Committee on Finance; and that a general Bill on the subject has also been refered to the same committee: I am instructed therefor by the Committee to return the same to the House and recommend its reference to Committee on Finance

J M Gaup
Chairman

report adopted

[redacted]

and also the following to wit:

Hon M D K Taylor
Speaker &c

Your committee on State Affairs to whom was refered "a Bill to be entitled an act to encourage the Manufacture of Iron, as also a resolution on the subject; have considered the same; and whilst the committee appreciate the importance of the subject; and the necessity for prompt action: they are unable to determine in what manner and to what extend such encouragement should be extended. The commit have therefore instructed me to return the Bill and Resolutions to the House and recommend their reference to a Committee of the Whole House

J M Hays
Chairman

report received

and also the following to wit:

Hon M D K Taylor
Speaker &c

The Committee on State Affairs to whom was refered a Bill to be entitled "an act to incorporate the East Texas Manufacturing Company" have considered the same, and herewith return the same to the House and recommend its passage

J M Hays
Chairman

report received

Mr Kyle made the following report

Hon M D K Taylor
Speaker of the House of Representatives

Your committee on Private Land Claims to whom was refered the petition of M L Taylor one of the heirs of Francis L Doncay, are of the

~~111~~ 12

opinion, from the evidence before us, that the prayer of the petitioner should be granted, and have instructed me to report the following bill, and ask its passage, all of which is submitted

O Kyle Claims
Chairman Com Private Land

report received

Mr Smith made the following report

Hon W D K Taylor

Speaker of the House of Representatives

I am instructed by a majority of the Committee on Engrossed Bills, to report the Bill, to be entitled an act to raise one million of dollars, or so much thereof as may be necessary by the sale of Cotton Bonds, to provide for the defence of the State and to repel invasion as correctly engrossed.

Respectfully submitted

Thomas Smith

Chairman

report received

Mr Howard made the following report

The Committee on State affairs, to whom was refered a bill, entitled "an act to prevent the trade in Cotton, upon the western portion of the State of Texas," have had the same under consideration, and ask leave to report the said bill back to the House, and recommend that the same do not pass.

W M Howard

one of said committee

report received

Mr Pendleton made the following report
Hon M D K Taylor
Speaker

The committee on Stock and Stock raising to whom was refered a resolution directing them to inquire into the expediency of extending the time for the recovery, &c by law, of stolen neat cattle, have had the same under consideration, and direct me to report that an act of the Extra Session of the ninth Legislature, passed 26th February 1863, entitled an act to suspend all Statutes of Limitations on civil rights of action of every kind &c &c, render further legislation upon the subject unnecessary

E Pendleton
Chairman

report received

Mr Thaxton made the following report
Hon M D K Taylor
Speaker &c

Sir, Your committee to whom was refered certain resolutions concerning the impressment of negroes into the military service of the Confederate States, and of the State of Texas, have had the same under consideration and direct me to report that ~~same~~ in their opinion the impressment law of the Confederate States now in force makes sufficient provisions for the impressment of negroes, and that further Legislation on that subject at this time is not advisable

Respectfully submitted
Wm Thaxton
Chairman

report received

Mr Foscue made the following report
Hon W S R Taylor
Speaker of the House of Representatives
The committee on Internal improvements to which was refered "A Bill to be entitled an Act to to amend the first section of an act for the relief of certain Railroad Companies in this State of Texas, approved January 11th 1862" have had the same under consideration and instruct me to report the bill back to the House and recommend its passage, with the following amendment " Strike out the word "twelve" where it occurs in the bill and insert in lieu thereof the word "six"

T T Foscue
Chairman

report received

Mr Kyle made the following report
Hon W S. R Taylor
Speaker of the House of Representatives
The Joint Select Committee to whom was refered, the Frontier and its defences, have had the same under consideration and have instructed the undersigned to report the accompanying Bill and recommend its passage

Wm Quayle
Chairman on the part of the Senate
C Kyle
Chairman on the part of the H R

report received

Mr. Nelson introduced a Bill to be entitled an act to authorize an election in the County of Dallas — Read first time and on motion the Constitutional rules was suspended. The Bill was read a second time and ordered to be engrossed & constitutional rules was further suspended the Bill was read a third time - and passed —

Mr. Keyes introduced a Bill to be entitled an act for the relief of Ayres Moody — Read 1st time and refered to the Committee on the Judiciary —

W. Thomas introduced a Bill to be entitled an act more effectually suppressing the evil of gambling and to reduce into one the several gaming acts — Read first time and refered to the Committee on the Judiciary —

W. Prendergast offered the following resolution to wit Resolved. that the House will recess to meet business after Saturday the

the 21st Instant. Read and laid over
under the Rule —

Mr. Thaxter introduced a Bill to be
entitled an Act to define what are Public
Mills and to prescribe what shall be the
duties of Millers — Read first time and
referred to the Committee on State Affairs

Mr Baker offered a Joint Resolution
in regard to the issuance of County Warrants
or Orders notes by the County Corty — Read
first time and referred to the Committee on
Finance —

Mr. Bouton introduced a Bill to
be entitled an act to Amend an act entitled
an act providing for the disposition of unclaimed
money deposited April 8th 1864 and
to repeal the 5th Section of the same —
Read 1st time and referred to the Committee
on Claims and Claims —

Order of the Day —

On motion of Mr Glenn on the Bill

to be entitled an act supplemental to and ~~to~~ to Amend ~~an~~ the first and fourth sections of an act entitled "an act appropriating twenty thousand Dollars, or so much thereof as may be necessary for the recovering or repairing the roofs of the Capitol - the Gen. Land Office - the old Land office and Treasury Buildings approved March 6th 1863 - The Bill was read out of the order -

Mr. Glenn offered the following amendment to the 1st - which was put upon the section 1st - the words "expended for material" and insert the words "heretofore appropriated" which was adopted - The Bill was then read a second time and ordered to be engrossed The Constitutional rule was then suspended the Bill read the third time and passed -

The Journal was taken up reading and Senators and Representatives in Congress to increase the pay of Non Commissioned Officers and Privates in the army and Navy of the Confederate States of America - Whereupon Mr Foreman offered the following Amendment to Bill - Strike out "instead" and insert regard which was adopted - whereupon Mr Gibbon offered the following Amendment to Bill "Reduce the pay of Commissioned Officers and Privates" which on motion was laid on the table - whereupon Mr Brady offered the following Amendment to Bill "and that Congress increase the tax so as to meet the increase pay" which was adopted and the question then becoming on the engrossment of the Bill as Amended the Resolution was read a third time and ordered to be engrossed

The Bill to be entitled an act to change the mode of selecting County Commissioners as at present and the question pending at the last Session being on the adoption of the Amendment offered by Mr. Hays — that had been the Amendment rejected — the question then occurring on the engrossment of the Bill. Mr Buckley moved that the Bill be laid on the table until the 1st day of March next. — which Motion prevailed.

The Bill to be entitled an Act to amend the twelfth section of the Road Law was taken up when upon Mr. Buckley offered the following Amendment to wit — "Amend by adding one-half the female class over 18 and under 40". Mr Hayes moved to lay the Amendment on the table which was carried —

Mr Hays offered the following amendments to wit. "Strike out 14 and insert 16 — Whereupon Mr. Miller offered the following Amendment to wit "Amend by inserting all female class Known

a fixed sum between the age of 18 and 40 which was rejected — and the question thereon re-
curring on the adoption of the Amendment of
fered by Mr Hayes the question was put and
the Amendment was rejected — whereupon Mr Hamilton
offered the following Amendment to be inserted
between the words prescribed & white persons —

Mr Reed moved to lay the Bill and amendment
on the Table. which was Carried —

In Committee of the Whole
Mr Baldwin moved a reconsideration of the
vote taken on the question laying the Bill and the
Amendment on the Table — which was Carried
whereupon Mr Buckley moved to recommit the
Bill and Amendments unto the Committee on
Roads & Bridges — which was Carried —

Mr Buckley moved that all the Senate
Bills on the Speakers table be laid upon the
Desk for reference when reported upon

The Senate Bill Entitled "an act to
amend the 1st Section of an act approved January
14th 1862 to fix salaries of the officers therein named"
was taken up Read 1st time and referred to the Committee
on Finance

Committee Room

Nov. 19, 1863.

Hon. M. O. K. Taylor Speaker of
the House of Representatives.

I am in-
structed by the Committee on Engrossed
Bills to report that the bill to
authorize the holding of an election
for Representatives in Dallas County
is correctly engrossed.

Respectfully Submitted.

Thomas Smith

Chairman

Also the Senate Bill entitled "An act for the relief of A.J. Vaughan. which was read 1st time

Also the Senate Bill entitled an act for the relief of Geo E. Bunny — Read first time and referred to the Committee on the Judiciary —

Also the Senate Bill entitled an act to require District attorneys to report to the Controller upon certain cases — which was read 1st time and referred to the Committee on the Judiciary —

Also the Senate Bill entitled an act for the relief of Robert Price — which was read first time and referred to the Committee on Private Land Claims —

On motion the House adjourned to 9 AM. tomorrow —

Journals of the House of Representatives November 20th 1863

11-20-63

House of Representatives of the State of Texas Austin Nov 20th 1863

House met pursuant to adjournment. Prayer made by the Chaplain. The Roll was called and a Quorum being present the Journal of yesterday was read and adopted

A Message was received from the Senate by Mr Swisher informing the House that the Senate had passed the Senate had passed the House Bill entitled An act to authorize an Election in the County of Dallas—

Mr De Berry made the following report.

Hon M D K Taylor

Speaker of the House of Representatives

The committee on engrossed bills beg leave to report that they find the following bill and the following Joint resolution correctly Engrossed. to wit.

1st A bill to be entitled an act supplemental to and to amend the 1st and 4th sections of an act entitled an act appropriating Twenty Thousand Dollars or so much thereof as may be necessary for the recovering or repairing the roofs on the Capitol, the General Land office and Treasury buildings" approved March 6 1863

A

2nd Joint resolution requesting our Senators and Representatives in Congress to increase the wages of the non commissioned officers and privates in the Army and Navy of the Confederate States of America

all of which is respectfully submitted

A W De Berry

report received

Mr Griffith made the following report

Hon M D K Taylor

Speaker of the House of Representatives

The Committee on Military affairs to whom was refered "A Bill to be entitled an act to amend the first section of an act entitled an act, ~~entitled an act~~ to amend the second section of and supplementary to an act to perfect the organization of the State troops and place the same on a war footing. approved Dec 25th 1861 approved March 7th 1863. beg leave to report that they have had the same under consideration, and recommend that the following Bill which has been agreed upon by a majority of this Committee, and the Military Committee on the part of the Senate, and recommend its adoption as a substitute.

John D Griffith
Chairman Military Com

report received

Mr Foscue made the following report.

Hon M D K Taylor

Speaker of the House of Representatives

The committee on Finance to which was refer
a bill to be entitled an act to sustain the
Currency" have had the same under consid=
eration and instruct me to report the bill bac
to the House and recommend that the bill do
not pass. The committee believe that the
reason given by the Judiciary committee upon a question
of similar character are satisfactory and
conclusive against the policy of passing any
measure of the kind.

J J Foscue
One of the Committee

report received

Mr Brady made the following report

Hon M D K Taylor

Speaker of the House of Representatives

The committee on Finance to
whom was refered "Joint resolution in regard t
the issuance of County warrants or Change note
by the County Courts" instruct me to return th
same to the House and recommend that it do
not pass. This Committee have already report
a bill to the House embracing the objects of
the Resolution.

All of which is respectfully submitted

J. J. Brady
Chairman

report received

and also the following, to wit
Hon M D K Taylor
Speaker of the House of Representatives
The committee on Finance to whom was refered "A Bill entitled an act making an appropriation for the mileage and per diem pay of the members and officers of the 10th Legislature of the State of Texas" instruct me to report the same to the House and recommend its passage
All of which is respectfully submitted
J I Brady
Chairman

report received

and also the following, to wit
Hon M D K Taylor
Speaker of the House of Representatives
The committee on Finance to whom was refered the Senate Bill" entitled an act to amend the 1st section of an act approved January 14th 1863 to fix the salaries of the officers and Clerks therein named," instruct me to return the same to the House and recommend its passage with the following amendment
In Sec 1st Strike out the words "Twelve hundred dollars" and insert "fourteen hundred dollars".
All of which is respectfully submitted
J I Brady
Chairman

report received

Mr Kyle made the following report

Mr Speaker

Your committee on Private land claims to whom was refered, Senate bill for the relief of Robert Price, have instructed me to report the same back to the House and recommend that it do pass.

C Kyle

report received. Chairman of Com on Private land Claims

and also the following to wit:

Mr Speaker

Your committee on Private land claims to whom was refered, a Bill for the relief of Ayers Mrody, have had the same under consideration and upon examination, we are of the opinion, that the relief should be granted, and have instructed me to report the same back to the House, and recomend that it do pass

C Kyle

report received. Chairman of Private land claims

Mr McGuire made the following report

Hon M D Taylor

Speaker of the House of Representatives

The committee on Claims and Accounts, to whom was refered the claim of J J Nichols for extra work on the General Land office building, have carefully examined the same, and have instructed me to unanimously report the accompanying bill, and request its passage

Respectfully submitted

P W McGuire

report received. in behalf of the Committee

Order of the Day

The resolution introduced on yesterday in relation to the introduction of new business was taken up when upon Mr. Smith's offering the following Amendment to be Amended by striking out the words Saturday the 21st instant and insert Tuesday the twenty fourth instant — which was adopted —

Mr Bowen of Iowa then offered the following amendment to be Amended by adding thereto the Consent of a majority of the House when on motion was laid on the table — whereupon — Mr Buckly offered the following amendment to be put up with such measures as are Connected with the finances and defence of the State which was adopted: and the question then recurring on the adoption of the resolution as Amended — was put and the resolution was adopted

The Bill entitled "an act to authorize the Counties of Escambia and Gonzales to appoint the pay of Sheriffs" was taken up and on the motion of Mr. Bell the Committee rose and reported the same without amendment and the Bill on the table—

The Bill to be entitled "an act to regulate the Chief Justices of the several Counties of the State to be at the County seat of their respective Counties on certain days—to avoid the frauds of Sheriffs to obtain Penitentiary Cloth—was then taken up and on the motion of Mr Bradley Jones to lay the Bill and Amendment on the table—which was carried—

The Bill to be entitled an act to authorize the use of the State Penitentiary for the Custody of Persons of Non compos mentis was taken up and on the motion of Mr Brady Jones to recommit the Bill, report and the Substitute on the table—Committee on the Penitentiary

The Bill to be entitled an Act to suspend the location, survey and sale of Public Lands in certain Cases was taken up and on the motion of Mr. Reed offered an Amendment which was adopted

The Bill then was read a second time

and ordered to be Engrossed —

By leave of the House Mr. Bowen withdrew

By leave the Bill entitled an act to amend

of an act to amend a Joint Resolution entitled a

Joint Resolution for the relief of the Heirs of Benjamin

D. Nobly dec'd — approved Dec. 31 1849 — which was read

~~a~~ first time — The Constitution was suspended

~~a~~ a second time and ~~ordered~~ to

be engrossed — The Bill was read a third time

~~engrossed~~ — ordered to be engrossed —

The Bill to be entitled an act for

the relief of Cyrus H. Landis — was taken

up read a second time and ordered to

be engrossed —

The Bill to be entitled an act to amend

the 1st Section of an act to regulate proceedings

in the District Courts approved May 13th 1863

was taken up Read a second time and

ordered to be engrossed —

The Bill entitled an act to require

the Grand Jurors to examine and report upon the

Condition of the County Records Books and Rooms

and Report of the County officers was taken up
Committee's against the Bill
and the report of the Committee adopted

The Bill entitled an act to define what persons are subject to do patrol duty was taken up and the report and amendment adopted. The Bill was then read a second time and ordered to be engrossed

The Report on the Petition of F. A. Sherman was taken up and on the motion of Mr. Brown was laid on the table—

The Bill entitled an act to repeal all laws for the sale of the Public domain was taken up: read second time and on motion of Mr. Walker was laid on the table—

The Bill entitled an act to incorporate the San Labo Masonic College was taken up—Read a second time and ordered to be engrossed —

The Bill to be entitled an act to prohibit the sale of intoxicating liquors in the neighborhood of the San Labo Masonic College

was taken up and read a second time

When upon Mr. Brown offered a substitute for the original Bill
which was adopted and the Bill, as
ed to be engrossed —

The Bill entitled an act to amend the
1st Section of an act relating to forfeitures
in certain Cases of bail bonds and recogn-
-izances in Cases of Misdemeanors" Approved
Decr 9 1865" was taken up and the Committee's Amendments
adopted. The Bill was then read a second
time and ordered to be engrossed. The Con-
-tinued Rule was then suspended and the Bill
read a third time and passed

The Bill to be entitled an act to amend
the twenty third Section of the Act to organize
the District Courts and to define their powers
and jurisdiction approved May the 11th 1846 was
taken up Read 2nd time and ordered
to be engrossed

The Bill entitled an act to amend an
act Concerning Common Carriers and defining their
liabilities and Certain Cases — was taken up and
the Committee's Report and amendments were a-
dopted — The Bill was then read a second
time and ordered to be engrossed The Com
mittee rose and reported the Bill
now a third time and passed —

On motion the House adjourned
to 3. P.M. Today —

3 P.M.

Senate met pursuant to adjournment

The Roll was called and a quorum present

The Bill entitled an act to amend
the 1st Section of an act defining the offices
of sheriffs — approved May 12th 1863 — was taken
up and the Committee's Report agreed to the Bill
adopted —

The Resolution on relation to
the Bill entitled an act relating all
debts during the War" was taken up. And
the Committee report against its adoption
was adopted —

The Petition of Lansday Chapin
of Oneida County was taken up and the
Committee report against the prayer
thereof was adopted —

The Bill entitled an act to amend
Articles 4000 and 4001 of the Penal Code
and more effectually to suppress the Circulation
of Paper Money — was taken up and the sub-
stitute adopted the Rule was then suspended
and the Bill read a third time and
passed —

of the Fin. Committee

the Report on the Resolution instructing the Committee to enquire into the expediency of paying the State Troops called out at the instance of Gen. H. Gradey in Dec. 1862 and for their transportation and subsistence. was taken up whereupon Mr Brazer moved to recommit the Resolution with instructions to the Committee —

Mr Miller then moved to open it to debate which was lost —

Mr Miller then moved to refer it to the Committee of the whole House — whereupon the Speaker appointed Messrs Miller, Marchant and Brazer the Committee —

The Joint Resolution to amend the State Constitution was taken up and the Committee's Report adopted.

The Bill entitled an act to suspend the operation of the Stay laws was taken up whereupon Mr Hayes moved to recommit the Bill and report to the Committee on Stock which was lost — Mr Buckley then offered the following Amendment. viz: to amend an act entitled

was adopted. whereupon Mr DeBerry offered an Amendment which adopted and the Bill was as Amended thus and ordered to be engrossed —

On motion of Mr Buckley the Standing Rules was taken up and made the Special order for Monday next at 12 o'clock

By leave of the House Mr Buckley introduced and read a Bill to be entitled an act to define and punish Seditious and to prevent the dangers which may arise from persons disaffected to the State — Read 1st time and referred to the Committee on the Judiciary —

On motion the House adjourned to 9 A.M. tomorrow —

Journal of Hem

Jan Ford 23 ? 1963

11-23-63

House of Representatives
of the State of Texas Sin. 23rd 1863

House met pursuant to adjournment —
Prayer by Chaplain — Journal
Journal of last Saturday read and
adopted —

Mr. Henry B Andrews from
the District of Galveston Came forward
presented his credentials and took the
oath of Office and his seat —

On motion of Mr Hays Mr
Fallon was excused from attendance
on the House today —

Mr Lollar presented
Petition of Sundry Citizens of Shelby
County praying for the relief of Mary
Reed & heirs and referred to the
Committee on Military affairs —

Mr Black Presented the Petition of
J. Roberts — Read 1st time and referred
to the Committee on Private Land Claims

Mr Buckley made the following report
Hon M D K Taylor
Speaker H.R

The committee on the Judiciary to whom was refered a bill to be entitled "An Act to define and punish Sedition, and to prevent the dangers which may arise from persons disaffected to the State." have had the same under consideration, and instructed me to report the bill back and recommend its passage, with the subjoined amendment.

Amend by striking out the word "misdemeanor" and insert "crime".

C W Buckley
Chairman

report received

And also the following, to wit:
Hon M D K Taylor
Speaker H R

The Committee on the Judiciary to whom was refered a bill from the Senate to be entitled " an act to require District Attorneys to report to the Comptrollers office in certain cases" have had the same under consideration, and believing the public interest will be

subserved by enacting such a law. have instructed me to report the bill back and recommend its passage.

C W Buckley
Chairman

report received

and also the following, to wit:

Hon W D K Taylor
Speaker H R

The committee on the Judiciary to whom was refered a "Joint Resolution to amend the Constitution of the State of Texas." have had the same under consideration, and instruct me to report, that while they would like to see all professed Ministers of the Gospel, who have been seduced from their spiritual vocation, by the hope of gain and become worshipers at the shrine of Mammon, instead of the true and living God, seduced in the army as soldiers, and compelled to aid in the defence of the Country, yet for the sake of the many ministers of all denominations who have resisted all such temptations and labored and are still laboring in their holy calling; they recommend that the Resolutions do not pass.

C W Buckley
Chairman

report received

Mr Bowers made the following report

Hon W D K Taylor
Speaker House Representatives

The Judiciary Committee to whom was refered "a Bill to be entitled" an Act to amend Art 752

Oldham and Whites Digest" have had the same under consideration, and have instructed me to report the same back to the House, with the following Amendments, and to recommend its passage.

Amend the title so as to read "A Bill to be entitled an act to amend the 44th section of "an Act to regulate proceedings in the County Court pertaining to estates of deceased persons" approved March 20th 1848.

Strike out all after the enacting clause in the first paragraph of section first and insert the words

"That the 44th section of the above recited act be and the same is hereby amended so that it shall hereafter read as follows to wit"

Strike out the words "section 2" in the second paragraph of the first section and insert the words "section 44".

M H Bowers
One of the Committee

Report received

Mr McDonald made the following report
Hon M D K Taylor
Speaker of the House of Representatives
The Judiciary Committee to which was referred a resolution "enquiring into the propriety of repealing or amending all laws requiring legal publication notices to be printed in newspapers" have had the same under consideration, and instruct me to report the accompanying bill and recommend its passage.

All which is respectfully submitted

I G McDonald
One of said Committee

Report received

Mr. Bills made the following report—

Mr. D. K. Taylor Speaker of the House

Your Committee to whom was re-
ferred a Bill to be entitled an act for
the relief of Wm. D. Dellum Duly
met on the 16th Inst and Dr. have
had the same under Consideration
and are Commanded me to report the
same back to the House and re-
commend that it do not pass
Report recieved—

J. M. Mills Chairman

Committee Room

Nov. 21st 1860.

Mr Smith made the following report —

Hon. M. P. St. Taylor Speaker
of the House of Representatives.
a majority of

I am instructed by the Committee on Engrossed Bills to report the following bills correctly engrossed. (Viz:)

1. A bill to be entitled An act to define what persons are subject to do patrol duty.

2. A bill to be entitled. An act to amend an act concerning Common Carriers and defining their liabilities in certain Cases.

All of which is respectfully submitted.

Thomas Smith,
Chairman.

Report Received

Report of the
Committee on
Enrolled Bills.

Committee Room
Nov. 23rd, 1883.

Hon. M. D. K. Taylor, Speaker
of the House of Representatives

The majority of the Committee
on Enrolled Bills, have instructed
me to report the "Bill to regu-
late the distillation of ardent or
Spirituous liquors &c" as correctly
enrolled.

Respectfully Submitted
Thomas Smith
Chairman

Report me d —

Report of
the Committee
on Engrossed
Bills.

Mr. Fascen introduces a Bill to be entitled an act to define upon which Conclusions certain exceptions may be followed — Read 1st time and referred to the Committee on the Judiciary

W. Barnes introduces a Bill to be entitled an act to authorize the County Courts to furnish stationary for the use of assessors and collectors — Read 1st time and referred to the Committee on State affairs —

W. Glascock introduces a Bill to be entitled an act for the relief of the Rapers who were unable to pay the Specific tax levied for the year 1861 — Read 1st time and referred to the Committee on Finance —

Mr Brown offered Joint Resolution in relation to the rights of the People of Texas — Read 1st time and made Special order for 4 P.M. on Thursday next — and 500 of No. of Nos Hon 120 Copies were ordered to be printed for the use of the House —

Mr. Mc Donald introduced a Bill to be entitled an act for the relief of the Heirs of W. M. Berryman — Read 1st time and referred to the Committee on Private Claims —

Mr Anderson introduced a Bill to be entitled an act to authorize the Governor to appoint three Brigadier Generals Read 1st time and referred to the Committee on Military affairs —

Mr. Gunn introduced a Bill to be entitled an act to declare the law allowing the Collection of Judicial in certain Cases — Read 1st time and referred to the Committee on the Judiciary —

Mr Bratton introduced a Bill to be entitled an act to incorporate the Corpus Mutual Aid Association — Read first time —

Mr Gray — introduced a Bill to be entitled an act to further provide for the defense of the State of Texas — Read first time —

Mr Burdett introduced a Bill to be entitled an act to repeal an act to suspend the operations of the statutes during and until six months after the 25th — 1863 in the County herein named Read 1st time and referred to the Committee on Stock and Stock-raising —

Mr Maney introduced a Bill to be entitled an act to incorporate the Corpus Mutual Aid Association — Read 1st time —

Mr Baker introduced a Bill to be

entitled an act to validate the official acts of Joseph Mullin as notary Public of Washington County — Read first time

W. M. McCarthy introduced a Bill to be entitled an act to punish and prevent desertions from the Military Service of the Confederate States of America and of the State of Texas Read first time and refered to the Committee on the Judiciary —

Also a Bill to be entitled an act to prevent and punish absentees from the Military Service of the Confederate States and State of Texas — Read 1st time and refered to the Committee on the Judiciary —

Mr Potter introduced a Bill to be entitled an act to restrict foreigners in trading in the State of Texas — Read 1st time and refered to the Committee on the Judiciary —

Mr Reed introduced a Bill to be

entitled an act to amend an act entitled an "act to regulate proceedings in the District Courts passed May 13th 1846 — Read 1st time and referred to the Committee on the Judiciary —

a Message from the Senate by Record announcing to the House that the Senate had passed the following House Bills with Amendments to wit

Bill entitled an act prescribing the duties of District attorneys in certain cases —

also the Bill entitled an act authorizing the Supreme Court of the State of Texas for the Galveston District to hold its Spring terms at the City of Austin — and the Joint Resolution in regard to the lands of Thos. G. Western and the act to amend an act entitled an act to punish Speculation in certain cases approved January 13th 1863 — without amendment —

Mr Davidson introduced a Bill

to be entitled an act to repeal an act entitled an act to amend the Second Section of an act Entitled an act to regulate Roads & Ferries and to repeal certain acts therein named — Read 1st time and referred to the Committee on the Judiciary —

— Order of the Day —

The Bill entitled an act to establish and define the boundaries of the County of Lincoln and McMullen and to repeal certain acts therein named — Taken up read 3d time and passed

The Bill entitled an act to amend the Second Section an act entitled an act to suspend the Operation of the Stay Law during and Some time after the Termination of the war — Taken up and the Committee Report against the passage thereof was adopted —

The Bill entitled an act to prevent the punishment for encouraging desertion from the Army — Was taken up and the Substitute adopted —

when upon M. Gibbons offered an amendment which was adopted — when upon M. Hoover offered an Amendment which was agreed to — whereupon M. Smith offered an amendment which was also agreed to — whereupon M. Hays offered an Amendment which was adopted —

M. Bryan moved to recommit the Bill to a Special Committee of seven — which was lost. and the question recurring on the engrossment of the Bill. M. Slaughter moved to strike out the second section thereof — and Mr. Buckley moved the previous question which being seconded the main question was put and the ayes and nayes being called for the vote was taken and resulted as follows to wit Ayes — Messrs Sheuth, Adams, Allen, Barclay Black. Bradwell. Butler, Brady Benton Barron. Bush, Buckley, Brown, Bratton. Cook. Dame. Debuy, Daday Eastham Emmett. Hoover Hanly, Hazen Green Griffith Gibson Glasscock Howard of A. Howard of L. Hayes. Hays. Hunt. Hamm

819

Hill. Hunt
Hudspeth Lynch. Lane Kyle Keys Lightfoot
Lollar. Lane Lacy Lovejoy Mabry Marshall
McDonald McGarity McCarthy Pendleton
Perry Perkins Prendergast Powers
Rhea
Robertson Reddy Robinson Reed Ramsey
Rupell Slaughter Smith Steele Rainsom Sum-
pter Thomas Tyler Thrasher Tillet Noonan Wheeler
Walker Gray — total 72 — Nays Mess Gibson
Means. total 2 —

Bill ordered to be Engrossed —

The Bill entitled an act prescribing the
duties of Justice Attorneys & Constables upon
which from the Senate passed with an amend-
ment taken up and the Senate's amendment
Concurred in —

The Bill to be entitled an act to
authorize the Supreme Court of the State
of Texas for the Galveston District to hold
its Spring term at the City of Austin — which
was read from the Senate passed with
an Amendment was taken up and the
Senate's Amendment Concurred in

Mr Andrews offered the following resolu-
tion —

Journal of the House
for Nov. 9th 1863

11-24-63

By leave of the House Mr Murray introduced a Bill to be entitled an act to Amend the 2d Section of an Act to organize County Courts passed July 16th 1852 — Read 1st time —

The Bill to be entitled an act Compelling persons who claim exemption from Military Duties on account of conscientious scruples — to pay a certain Sum — was taken up — and on motion of W. Bowen offered a substitute for the Bill

Mr Chairman moved. and Mr Baker moved that this Bill be laid upon the table and Substitute be recommitted to the Judiciary Committee — which was carried

The Bill to be entitled an act to provide for the Construction of twelve Bridges ordered by the Court was read a second time. and ordered to be engrossed —

On motion the House adjourned to 9 a. M. to morrow Morning —

Journal for Stat

20-7863 —

11-25-65

House of Representatives of
the State of Texas Nov. 25. 1869

House met pursuant to adjournment — Prayer
by Chaplain — Quorum present — Journal of
yesterday read and adopted —

On application Leave was granted
to the Members from San Patricio for the remain
der of the Session —

Mr. Moore Presented a Communication
from the Board Govs of Trustees Lunatic Asylum
was Read filed here and Referred to the Com-
mittee on Finance —

Mr Kyle made the following Report —

Hon W. D. K. Kyle Speaker of the H of R
Your Committee on Private Land Claims
to whom was referred the Papers of John Griffin Jas D.
Lewis Sam Raymond and Abram Burke after
a careful examination of the Land office and Comptrollers
office have instructed me from the evidence that we are
unable to obtain. to report the Papers back to the House
and ask to be discharged from their further Consideration
Respectfully —

C. Kyle Chairman

Mr Hays made the following report

Hon W D K Taylor

Speaker of the House of Representatives

The Committee on State affairs to whom was refered a Resolution of instruction directing ~~us~~ to inquire into the excediency of increasing the Tax on the occupation of selling Spirituous Liquors have considered the same, and as the subject matter of this Resolution is already before the Committee on Finance. I have, been instructed to return this to the House, ~~and recommend its reference to the Committee on Finance~~, and recommend its reference to the Committee on Finance

Respectfully submitted

W M Hays

Chairman

adopted

Report ~~received~~

Mr McDonald made the following report

Hon W D K Taylor

Speaker of the House of Representatives

The Judiciary Committee to which was refered "A Bill to suspend the existing law allowing the Collection of interest in certain cases" have had the same under consideration and a majority of said Committee instruct me to report that the object sought by said bill is by State Legislation, to make Treasury notes a legal tender in the payment of debts; to do which the States are positively forbidden by the Constitution of the Confederate States of America. The Committee (with one exception) concur in this opinion, Therefor the Committee herewith return the bill to the House and recommend that said bill do not pass. All of which is respectfully submitted.

Report received

J G McDonald

of Judiciary Committee

Mr Howard made the following report
Hon M D K Taylor
Speaker of the House of Representatives
The Committee on State Affairs, to whom was refered "A bill, granting the right to make or procure Salt from a Salt Lake, or deposit, situated near the Horse head crossing on the River Pecos; have had the same under consideration, and ask leave to return it to the House, and recommend that the said Bill do not pass.

W H Howard
one of said Committee

report received

Mr English made the following report
Hon M D K Taylor
Speaker of the House of Representatives
A majority of the Committee on Engrossed Bills, have instructed me to report the following bills correctly engrossed: to wit:

1 A Bill defining the boundary line between the Counties of Harrison and Marion
2 A Bill to amend the 71st Section of "An act to regulate proceedings in the County Court pertaining to estates of deceased persons.
3 A Bill to provide for the construction of twelve peices of ordnance.

All of which is respectfully submitted
R English
one of the Committee

Report received

Mr Griffith made the following report

Hon W D K Taylor

Speaker of the House of Representatives

The Committee on Military affairs to whom was refered "A Bill to be entitled an act to authorize the Governor to appoint three Brigadier Generals to command the State troops, having had the same under consideration, a majority of said Committee instruct me to report back to the House and recommend its passage.

John D Griffith

Chairman Comt Mil affairs

report received

Mr Banton made the following report

Hon W D K Taylor

Speaker of the House of Representatives

The Committee on Penitentiary to whom was recommitted the Bill authorizing the use of the Penitentiary for the confinement of prisoners of war, deserters and others offenders against military law, also the substitute to the same heretofore reported by a majority of the Committee, have had the same under consideration, and see no cause to change the opinions entertained in relation thereto, A majority of the committee therefore instruct me to report both bills back to the House without amendment, and recommend the passage of the substitute.

Respectfully submitted

J M Banton

Chairman

report received

Mr Robinson made the following report —

To the Hon. D. K. Taylor Speaker of the H of R

The Committee on State Affairs to whom was referred a Bill to be entitled an act to define what are Public Mills and to prescribe the duty and Liability of Millers thereof and instructed me to report the same back to the House and recommend that it do not pass —

Robinson
one of the Committee

Report Rec'd —

Mr Reed made the following report

To D. K. Taylor Speaker of the H of R

The Committee on State Affairs to whom was referred a Bill to be entitled an act to authorize the County Courts to summon Steamers for the use of the Officers and Collectors of the State of Texas have had the same under consideration and instructed me to report the same back to the House and recommend that it do not pass

D. B. Reed one of the Committee

Report Rec'd —

Mr Rapelje made the following report
from Gn. D. K. Taylor, Speaker of the House

The Committee on the Seal Land Office
Report the accompanying Account of L.
Tillman for Bond Seals for the Seal Land
Office and ask that it be referred to the Committee
on Finance and be embodied by them in the
General Appropriation Bill and ordered to be
printed.
Report Rec'd —

C. A. Rapelje Ch

— Order of the Day —

The resolution in relation to the order of the Day Respecting the Address was taken up which on motion of Mr Budenell was laid on the table until the 1st day of July next —

The report of the Committee on agricultural affairs on the Bill to regulate the Cultivation of Cotton was taken up and adopted —

The Finance Committee's Report on a resolution Concerning the procurement of Drugs was taken up and adopted —

A Message from the Senate was received informing the House that the Senate has passed the following Bills viz — "A Bill to be Entitled "An act to incorporate the Sulphur Springs Company"

A Bill to be entitled "an act to Create Fund in "the Cane Creek"

also "a joint Resolution for payment of Confederate Taxes"

The Bill to be entitled an act respecting Steam Launches was taken up and a second time and ordered to be engrossed — Constitution of rule was then suspended Bill read a 3rd time and passed

On Motion of Mr. Stapp the Senate Bill entitled an Act to Create Jurisdiction &c was taken up read 1st time the Constitutional Rule was dispensed with read second time and ordered to be Engrossed. Committee discharged from further consideration Bill read a third time and passed —

The Senate Bill entitled an Act to incorporate the Sulphur Fork Iron Company was taken up Read 1st time and referred to the Committee on State Affairs

The Senate Joint resolution in relation to the payment of the Capitation tax. was taken and Read 1st time

The Senate Bill entitled "an Act to provide Civil Officers Committee on Judiciary" was taken up Read 1st time and referred to the Committee on the Judiciary

The Bill to be entitled "An act to Incor-
-porate the Peluey & Brazos Sulphur Nitre
and Powder Manufactory Company was taken
up and Read a 2nd time and ordered to be en-
-grossed — Rule was then suspended — Bill read
third time and passed by the following Vote
to Wit. Yeas — Messrs Speaker, Adams, Andrews,
Barclay, Blake, Burdett, Butler, Brown, Brady,
Bunton, Brazer, Bush, Buckley, Bakey, Bratton,
Cook Daniel, Dardin, Eastland, Finley, Frazer
Griffith, Gibbon, Glasscock, Hemphill, Howard
of B., Haynes, Hays, Hart, Harrison, Halford,
Hunt, Jones, Kyle, Lipscomb, Lollar, Lane, Lacy,
Lowery, Mabry, Munson, W. Daniel, Moore, Mc
Guire, Maney, Mc Carthy, Perkins Patton, Pendleton
Prince, Pendleton, Roberts, Robinson, Reed,
Rauch, Russell, Ramsay, Slaughter, Smith, Select
Scurlock, Simpson, Thomas, Tyler, Thurston, Willis
Wooten, Nelson, Walker and Gray — Total 69 —
Noes Mr. DeRamy — 1 Total 1 —

10

The Bill to be entitled "an act to amend an Act entitled an act to organize the County Court &c." March 16th 1848 was taken up Read a 3d time whereupon Mr Mann offered an amendment which was rejected and the Bill passed —

The Bill entitled an act for the relief of Chas. M. Lewis was taken up Read a third time and passed —

The Bill to be entitled an act to amend the 5th Section of an act to regulate proceedings in the Justice Court &c. March 13th 1846 was taken up Read a third time and passed —

The Bill entitled an act to prohibit appropriations for the pay and mileage of the Members and the pay of the Officers of the Legislature was taken up Read a second time and ordered to be engrossed Constitutional rule suspended. Bill read 3d time and passed

The Joint Resolution in relation to the Contract between the Military Board and Phillips & Sturms. was taken up and on motion was laid on the Table —

The Bill to be Entitled an Act to authorize the County Court to regulate the pay of Sheriff in certain Cases — was taken up Read a 3rd time and passed —

The Bill to be entitled an Act to exempt certain Officers and Soldiers therein named from the payment of Poll Tax on an Amount of Property therein mentioned — was taken up and on motion of Mr Thomas the Committee's report adverse to the Bill was laid on the table by the following Vote to wit. Yeas Mr. Speaker. Adams. Allen. Andrews. Barclay Blake, Bullock, Burton. Brazer. Buckly. Bailey. Bowen. Ball Cooke Dame. DeBerry, Darden, Eastland, Emmet, Finley Frazier. Gaskill. Gibbon. Glasscock. Hansford. Hayne. Hunt, Holford, Hunt, Inglish, Jones. Keys. Lipscomb. Lowry. M. Donald, M. Gaw, Rutkin, Patton, Pendleton, Robertson, Reading, Rhea Robinson Rann M. Ramsay Smith. Selee. Thomas, Tyler, Thaxton, Willis, Wooters, Wilson Total 52 —

D 7
12

Messrs Thurston Butler. Burk Stewart of S. Hays
Harrison. Hyde, Sellers Lane Lacy. Mabry, Munkus
Moore, Maney, Pendergast, Power, Rice, Russell
Slaughter, Sampson Simpson and Ray. The 21

The Bill on the Road a Second time and
on motion of Baker was referred to a Spe-
cial Committee of. Five which was Named
whereupon the Speaker appointed Messrs
D. Berry, Th. Thomas Donald Bailey and Bailey
a Committee to consider thereof

By leave of the House Mr. Stewart of D.
introduced a Bill to be entitled an Act for the
organization of a Stock Gauge and Inspection
in the State of Texas which was read a first
time and referred to the Committee on State affairs

The Bill to be entitled an Act for the re-
lief of Geo. C. Cusack was taken up and
the Committee Report adopted- and on motion of
Mr. Ray was made Special order for 11
A.M. to morrow

A Message from the Senate was received informing the House that the Senate had passed the following Bills and resolutions

"An Act to Revive an Act for the relief of Preemption Settlers: and to extend the time for returning Field Notes &c—"

"Joint Resolution asking the repeal of all Specific exemptions and Specific duties"

On motion the House adjourned to 7 P.M. this Evening—

7. P.M.

House met pursuant to adjournment
quorum present —

The Bill entitled an act to defin
the fruits and to provide for its defence was
special order for this hour was taken up when
upon Mr Hurlbut's motion offered a substitute for the former
Committee's Bill, — which was adopted Mr Simpson offered an
amendment — which was adopted — Mr
Wood to strike out the Counties of Johnson and
Decatur —

On motion of Mr Buckley the further Consider
of the Bill was postponed to the hour of 3 P.M. on
Tuesday next

On motion the House adjourned to
9 am Tomorrow —

House Journals

No. 110

10th LEGISLATURE

SUBJECT MATTER:

November 26, 1863

to

December 7, 1863

HOW DISPOSED OF:

File Box No. 90

Journal of House

for November 26th

1863

11-26-63

House of Representatives of the State of Texas Saturday 27th 1863

House met pursuant to adjournment — Prayer by Chaplain — Roll called — quorum present — Journal of yesterday read and adopted —

On motion of Mr. Mills

Leave was granted to Mr. Mills to be excused for the remainder of the week —

Mr. Sulser presented the memorial of the County Court of Comal County — which was referred to the Committee on Counties and County Boundaries —

Mr. Lacey presented the memorial of Sundry Citizens of Leon County which was referred to the Committee on State Affairs —

Mr Buckley made the following report

Hon M D K Taylor

Speaker H R

The committee on the Judiciary to whom was refered" a Bill to be entitled an act to amend an act entitled an act to establish uniform weights and measures" have had the same under consideration and believing that in collecting the tax in Kind by the Confederate States collectors, much fraud will be prevented by the passage of the bill, have instructed me to report the bill back and recommends its passage, with the subjoined amendments.

C W Buckley
Chairman

Amend the Caption by adding ~~"Approved February~~ 13th 1858"

Amend by adding at the end of section the words "Provided that this Act shall not apply to any person residing in any County that does not apply to any person residing in any County that does not ~~pass~~ the standard weights and measures of the State.

~~Report received~~

And also the following.

Hon M D K Taylor

Speaker H R

The Committee on the Judiciary to whom was refered" a Bill to be entitled an Act to provide for publication of an abstract of principles of law which have been or may hereafter be decided by the Supreme Court"

have had the same under consideration, and in their opinion no practicable good will result from the passage of the bill, wherefore they instruct me to report the bill back and recommend that it do not pass

C W Buckley
Chairman

report received

And also the following
Hon Wm S K Ogden
Speaker H R

The committee on the Judiciary to whom was referred, a Resolution requesting the Committee to enquire into the expediency of empowering the Probate Courts to authorize Guardians to exchange one kind of property belonging to their wards for another kind, when shown to the satisfaction of the Court that such an exchange is necessary to promote the interests of wards estates, and reports by bill or otherwise" have had the same under consideration, and instruct me to report that such a change in the law as contemplated is inexpedient, the Committee therefore ask to be discharged from the further consideration of the subject.

C W Buckley
Chairman

report received

and also the following

Hon W D K Dafler
Speaker H R

The Committee on the Judiciary to whom was refered "A Bill to be entitled an act to aid in punishing offences committed against the Postal laws of the Confederate States of America" have had the same under consideration and believing that the passage of such a law as is contemplated by the proposed bill will be productive of beneficial results, instruct me to report the same back to the House and recommend its passage

C W Buckley
Chairman

report received

Mr Foscue made the following Report

M. O. H. Taylor Speaker House of Rep

The Committee on Confederate relations to which was referred the Joint Resolution urging the Governor to call a Convention of the People of Texas: and by proclamation to order an election of delegates: have given the subject due Consideration and have arrived at the Conclusion: that however desirable the object may be. Your Committee are of the opinion the proposed Amendments Cannot be effected in time to aid the Confederacy in the present struggle for Independence. I am therefore instructed by the Committee to report the Joint Resolution back to the House and recommend that it do not pass

Respectfully — T J Foscue as Ch Com

Mr Buckley made the following report

In the Speaker of the House

The Committee on the Judiciary to whom was referred an act to amend an act entitled an act to regulate proceedings in the District Courts passed May 13th 1846 have had the same under consideration and instructed me to report the same back to the House and recommend it do not pass

Report Rec'd — C. N. Buckley Ch

Also the following report

In the Speaker of the House

The Committee on the Judiciary to whom was referred a Bill to be entitled an act to extend the time for locating land warrants issued to the B. B. B. & C. Railroad Company have had the same under consideration and instruct me to report the accompanying substitute for the original Bill and recommend its passage

Report Rec'd — C N Buckley Ch

A 6

Mr Styles made the following report

To the Speaker of the H of R

Your Committee on Private Land
Claims to whom was referred the Petition of Mel-
lin McFarlin after a careful examination have
instructed me to report the accompanying Bill
and recommend its passage.

Respectfully — C Styles Ch

Mr Sandidge from the following report
to the Speaker of the H of R

The Committee on Stock and Stock
raising to whom was referred a Bill en-
titled An Act Amendatory of and Supple-
mental to an Act to regulate Marks, and
Brands have had the same under con-
sideration and recommend that the
same shall be passed

Respectfully — C Sandidge
Ch

Also the following report

In the Senate of the U.S. of R.

The Committee on States and those

-wishing to whom was referred an act

entitled an act to amend the 1st and

2nd Sections of an act to regulate the

Sale of Buffalo Cattle: and to require

Bond then to keep and return list of

the Cattle slaughtered by them and to pre-

vent the sale of unbranded Calves

for Slaughter &c &c — March 4th 1863

have Considered the same and recommend

to passage —

E Pendleton

Ch

Report rec'd

Mr Darden made the following report

To the Senate of the U.S. of R.

The Committee on education to whom

was referred a Resolution to Consider of the

h
8

expediency of receiving in payment of
the unlisted on the special school Fund
from Rail-Road Companies the Bonds of the
Confederate States of America or of the State
have duly considered the same and a Majority
of the Committee instruct me to report that as
the unlisted bearing bonds of the Confederate
States would not be available for the dis-
-bursement and as the bonds or Treasury ~~notes~~
warrants of the State could not in the opinion
of the Committee be obtained - and as the primary
object of the resolution was to increase the Amount
of money in the Treasury subject to distribution
for Common school purposes - A Majority of
the Committee instruct me to report the ac-
-companying Rule and recommend its
passage -

W. J. Darden
one of the Com

Rule &c? -

Mr Smith made the following report —

Mr. D. K. Taylor Speaker &c

Your Committee on Engrossed Bills

authorized me to report to the House the following Bills as Lawfully engrossed

A Bill to be entitled an act respecting

Illinois & Michigan Canal —

A Bill to be entitled an act to incorporate the Rockford Belvidere & Boone Railroad Manufacturing Company

Mr Kyle made the following report

To the Speaker of the H. of R

Your Committee on Private Land claims to whom was referred a Bill and accompanying Papers for the relief of Thos. G. McGehee after a careful examination of the case have instructed me to report the Bill back to the House and recommend that it do pass

Respectfully

W Kyle

Ch

Order of the Day

The Bill entitled an Act for the relief of Robert Molloy was taken up the Committee's Report adverse to the Bill was read whereupon Mr Molloy moved to recommit the Bill to a Select Committee of three which Committee and the Speaker afterwards named Messrs Molloy Felan and Dundon to Committee thereof

Mr Lowry with leave presented the Petition of Henry Martin - which was without reading referred to the Committee on the Judiciary -

The Bill entitled an Act to prohibit the Sale of Spirituous Liquors was taken up and proceedings in the County Courts pertaining to the estates of deceased persons passed March 2nd 1840 was taken up and the Committee's Report adverse to the Bill was adopted -

a Second time and ordered to be engrossed

"The Bill entitled an act for the
relief of the Heirs of Francis L. Tenney pas-
sed after Read 2nd time and ordered to be

B 11

ing adopted. The Constitutional amendment
suspending Rule 3rd read 3rd time and passed

The Bill entitled an act to amend
Offences in State Offences duties now taken up
Read 2nd time and ordered to be engrossed the
Constitutional amendment suspending Rule
read 3rd time and passed —

The Bill to be entitled an act to become the
payment of State and County Taxes — now taken
up when upon M. Ruffle moved recommitting the Bill
and that the Committee on Finance which
was lost — M. Ruffle then moved to lay the
Bill and report on the table which was also
lost — the question then recurring on the adoption
of the report it was passed and report adopted

The Bill entitled an act to amend the
"57th Section of an act entitled an act to regulate
proceedings in the County Courts passed March 1st 1840
now taken up and the Committee Report adopted
& the Bill was adopted —

Senate Joint resolution

The Bill to be entitled an act to repeal
property
all exemptions and penalty laws
now taken up and read the Constitutional
rule was then suspended Resolution read
a 2nd time - Rule further suspended Resolu
tion read a 3rd time & and passed

The Senate Joint resolution for the payment
of the Confederate Tax - was taken up read
1st time the Constitutional rule was then suspen
ded Resolution read a 2nd time the Rule
was then suspended and a
third time and passed by the following vote
Yeas 18 Nays -

The Bill to be entitled an act to provide
for a digest of the laws of the State of Texas
was taken up read a 2nd time whereupon
Mr Buckley offers an amendment which was
adopted - and Mr. Brown offers a further amend
ment which was agreed Mr Walker offers
a further Amendment which was adopted -
and Bill ordered to be engrossed - The Constitutional
rule was then suspended Bill read 3rd time & passed

D

1213

A Message from the Senate was received announcing that the Senate had passed a Bill to be entitled an act to suspend the location and Survey of Public Lands—

Mr Hays with leave made the following report

Hon. M. D. K. Taylor Speaker of the H of R

Your Committee on State affairs to whom was referred a Special Message of his Excellency Gov. Lubbock in relation to two Texan Flags - One Captured by the 5th Texas Regt in the Battle of Richmond June 27th 1862 and another Captured by the 4th Texas Cavalry in the Battle of La Fourche La July 13th 1863 have Considered the same and herewith return the same to the House with the accompanying papers and earnestly recommend that passage

F. M. Hays
Chairman

Referred.

Whereupon on motion of Mr Hays the Constitutional rule was suspended and the

Yeas, Messrs Speaker, Andrews, Butler, Brown, Brady,
Barton, Bush, Buckley, Baker, Bowers, Cooke,
Daniel, Darden, Eastland, Fiscue, Frazier, Griffith
Hay, Harrison, Hill, Hunt, Lollar, Lane, Lovejoy,
McGuire, Patton, Robertson, Rhea, Rancke, Russell,
Slaughter, Seele, Sampson, Simpson, Thomas, Tyler,
Thaxton, Willis, Way Total 39-

Nay Messrs. Adams, Allen, Barclay, Brazier, Bratton, De Berry,
Emmert, Finley, Gulinn, Gibbon, Howard of A,
Howard of L, Hart, Holford, English, Jones,
Kyle, Keys, Lipscomb, Lacey, McDonald, Moore,
Maney, McCarthy, Perkins, Prendergast, Pearce,
Pendleton, Redding, Robinson, Reid, Smith, Wootes,
Wilson Total 34- Be

upon adoption and the resolutions read as
he could have and ordered to be engrossed
The rule was further suspended Resolution
read a 3rd time and passing —

On Bill to be Entitled an act for the
relief of Geo. W. Glasscock which was made
the order for this hour at last Session duly
taken up / Mr Brady in the Chair / Read
the Bill the 1st time and ordered to be engrossed
the 2nd time and ordered to be engrossed

Mr. Robinson with leave introduced a joint
Resolution authorizing an Executive agent
to Represent this State in Congress to use their efforts
to procure the passage of a law for the relief
of the U.S. Texas Mounted Volunteers which was
read 1st time —

A Message from the ~~House~~ Senate was received informing the House that the Senate have passed a Bill to be entitled an act appropriating two hundred thousand Dollars as a Hospital Fund for the Soldiers of Texas in the Army of the Confederate States of America —

Mr Bowen offered the following resolution

Resolved That a Committee of three be appointed to wait on the Hon.ble Judges Andrews Burke Ochiltree and Taylor for Copies of their addresses delivered in the House on the 23rd Inst on the Resolutions of respect to the Memory of the late Hon Wm. Pelham: and further that one thousand Copies of these resolutions addresses &c be printed for the use of the House — whereupon Messrs Bowen. Frazer and Collier were appointed a ~~Committee~~ to Carry out the resolution

On motion the House adjourned to 9 P.M. this evening —

J. P. M.

House met pursuant to adjournment

Prayer

The Resolution in relation to the right of the Citizen of the Citizen of Texas which was made the special order for this hour was taken up — and after a lengthy discussion thereof Mr. Haynes moved to lay the resolution on the table but withdrew ~~the motion~~ at the request of W. Buckley who withdrew his motion whereupon Mr Buckley moved to commit the resolution to the Committee on the Judiciary — Mr Haynes moved to lay the motion to commit and the Resolutions on the table. which was carried

On motion the House adjourned until 9 o'clock to morrow morning

Journal for House
on Aug. 27th 1863

11-27-63

House of Representatives of the State
of Texas Nov 27th 1863

House met pursuant to adjournment
Prayer by Chaplain — Journal of yesterday read and adopted
Mr Daniel presented the Petition of John Dean which was referred to the Committee on Judiciary —
Mr Smith made the following report
To the Speaker of the House —
I am instructed by the Committee on Engrossed Bills to report the following resolution in relation to the Texas Flags & a Constitution engrossed — Thomas Smith Ch
Report Rec'd —
Also the following report
To the Speaker of the H of R
The Committee on Engrossed Bills have instructed me to report to the House

the following Rules as Committee engrossed—
viz A Bill to prohibit the sale of intoxicating liquors in the neighborhood of Round Rock
A Bill for the relief of the heirs of Francis L Doncary.
A Bill to aid enrolling officers in the discharge of their official duties.
A Bill to provide for a Digest of the Laws of Texas.
A Bill for the relief of George W Glasscock

Respectfully submitted
Thomas Smith
Chairman

report received

Mr Emmert made the following report
Hon M S K Taylor

The Committee on Roads Bridges and Ferries, to whom was refered a bill to amend an act incorporating the Pecos Bridge company, approved January 4th 1860 and to extend the time for constructing the Bridges have had the same under consideration, the committee instruct me to return the same to the House and recommend its passage.

A Emmert
Chairman

report received

Mr Blake made the following report
To the Hon M S K Taylor
Speaker of the House of Representatives
The committee on counties and county boundaries to whom was refered a petition of the County

court of Comal County, praying the suspension of "an act to authorize the county court of Comal County to levy a special Tax approved Feby 8th 1860" Have had the same under consid=eration and report the accompanying Bill and recommend its passage

Bennett Blake
one of the Committee

report received

Mr Hays made the following report.

Hon W S K Taylor.
Speaker of the House of Representatives

Your Committee on State Affairs to whom was refered a bill to be entitled an act to amend the 4th Section of an act entitled An Act to pro vide assistance for the families and other de=pendents of Officers and Soldiers; approved March 6th 1863. have maturely considered the same and herewith return the same to the House and herewith return the same to the House and earnestly recommend its passage.

Respectfully submitted
J M Hays
Chairman

report received

Mr Way made the following report

Hon W S K Taylor
Speaker of the House of Representatives

The committee on Indian Affairs, to whom was refered a resolution instructing them to inquire into the expediency of making suitable provision for the loyal Tonkaway Indians, have considered the same, a majority of the committee have instructed

1

one to report the accompanying Bill to the House and recommend its passage

C. B. Way
Chairman Com on Indian Affairs

report received

Mr Willis made the following report

Hon W S K Taylor
Speaker of the House of Representatives

The undersigned Committee to whom was referred a resolution to inquire into the expediency and practicability of paying the State Troops called out in 1862, have had the same under consideration, and beg leave to make the following report—

Whereas - State Troops was called out by proclamation of his excellency Gov Lubbock in 1862, and these Troops were transferred to the Confederate Commander of the State of Texas, and whereas supplies to meet the wants of these Troops was furnished by individual advancements and credit, which have not been reimbursed or met by either State or Confederacy.

Therefore - be it Resolved by the Legislature of the State of Texas, That the Adjutant and Inspector General of the State, be and is hereby instructed to inquire into the cause of the non payment of any or all claims in the premises and to take such steps as will properly adjust the rights of all concerned

J M Willis.
Chair of said Com

Report received

Mr Hays made the following report

Mr. S. K. Taylor Speaker of the H of R

Your Committee on State Affairs to whom

was referred the reports of the Superintendents of the Lunatic Asylum Deaf and Dumb and Blind Asylum have attended the respective Amounts necessary to be appropriated for the support of the Asylums to the Committee on Finance with the request that they be included in the general appropriation Bill

The Committee therefore would respectfully report the same back to the House and ask to be discharged from further Consideration of those subjects —

Respectfully
Report Red —

T. W. Hays Ch

Mr Baker made the following report

To the Speaker of the H of R

The Select Committee to whom was referred a Bill to be entitled "An act to exempt certain Officers and Soldiers thereon names from the payment of Poll tax and the payment of an <u>advalorem</u> tax on an Amount of property therein

named' have had the same under Consideration and after due Consideration the Committee unanimously have instructed me to report the accompanying substitute for the original Bill and recommend its passage —

Respectfully &c —

M. H. Bailey —
Chairman —

Order of the Day —

On motion of Mr. Thomas the Bill to be entitled an act to encourage the manufacture of Iron was taken up out of the order and referred to a Select Committee of 3 — when upon the Chair appointed Messrs Thomas Haynes and Gibbs said Committee —

The Report of the Finance Committee on the Bill entitled an act to amend article 7 sub of Oldham and White's digest entitled an act supplementary to the estates of Decd persons coming to the Bill was taken up and adopted by

The Report of the Finance Committee on the Resolution in regard to Interest on the bills &c — coming to the passage of the Resolution was taken up and adopted

The Report of the Finance Committee on the Bill entitled an act declaring what shall be sufficient grounds for divorce coming to the Bill was taken up

and adopted —

The Report of the Committee to whom was referred the Joint resolution relating asking Congress to pass a law authorizing the employment of Negro men for Military Service and relative to the passage of the resolution was taken up and adopted —

The Report of the Judiciary Committee on the Bill to be entitled an act to amend the law governing the descents of Estates of deceased persons and relative to the Bill was taken up and adopted —

A Message from the Senate was received informing the House that the Senate have passed the following Bills viz

a Bill entitled an act for the relief of Thos. Moore dec'd —

a Bill to be entitled an act to provide for the employment of additional labor within the Penitentiary —

a Bill to be entitled an act defining the duties of the agents of the Alabama, Coushatta and Muscogee Indians —

C
12

The Report of the Committee on State affairs on the Bill entitled an act to prevent the trading in Cattle upon the Western frontier of the State of Texas — adverse to the passage of the Bill. Mr. M. Daniel on the Chair has Taken upon same on motion of Mr. Forcen was laid on the table — whereupon the Bill was Taken up on motion of Mr. Forcen was also laid on the table —

The Bill entitled an act to prevent for the organization of the County of McMullen and to attach the same to the 14th Judicial District was Taken up — Read a 2nd time and ordered to be engrossed —

The Report of the Committee on State and Statistics relating on the resolution requiring the Committee to enquire into the expediency of extending the law for the recovery of stolen by thieves neat Cattle — adverse to the retention of the law for same purpose was taken up and adopted —

The Bill entitled an act to incorporate the east Tiffin Manufacturing Company was taken up reason a second time and ordered to be engrossed. The Constitutional rule was then suspended Rules read the third time & passed by the following Vote, Viz —

Yeas — Mayor Speaker .. adams. Allen, Andrews. Barclay. Blake, Bundell, Butler, Banton, Brazier, Bach, Buckley. Baker. Bowen, Brallier, Cook. Dawee, DeBerry, Darden, Emmet, Foster, Fouley, Fragen, Gibbon, Clapsaddle Hevans of "a" Hevans of "L" Hayes Hayes, Hart Harrum Hunt, English, Imus, Kyle, Keyser Lewis comb, Lollar, Laine, Lacey, Longey, Marshall, McEwen, Moore, McGuire, Mauzy McCarthy, Perkins Prendergast. Preece, Pendleton, Rotalow, Redding, Rhea, Roberson, Reed, Rank Rapple, Ramsay, Slaughter, Smith, Seber, Sampsons, Simpson, Thomas, Tyler, Thurston Willis, Wooten, Wilson, Walker, and, Mr

~~On Motion of Mr. Hays~~

The Bill entitled an act to amend the 1st section of an act entitled "an act to amend the 6th section of an act supplementary to an act to provide for organization of the State boards and to place the same on a new footing approved Dec. 25th 1861 approd March 7th 1863" was taken up when upon Mr Hays moved that the House go into a Committee of the whole to consider thereof — which was agreed — when upon Mr Hays took the Chair and the Committee entered upon the consideration of the Bill — and after spending some time in Committee the Committee rose and the Chair and the Committee of the whole by its Chairman reported that the Committee had adopted several amendments to the Bill and ask that this Bill and amendments be referred to a Committee of the whole and that the Committee be discharged

Which was agreed to and the Committee discharged

A Message from the Senate was received announcing the passage by that House of the following House Bills, viz — A Bill entitled an act to suspend all laws for the collection of debts and liabilities on Bank notes &c — until twelve months after a ratification of a treaty of peace between the Confederate States of America and

and the United States of America or until
otherwise provided by law—

A Bill Entitled an act to raise one
Million of dollars or so much thereof as may
be necessary by the Sale of Cotton Bonds
to provide for the defence of the State and
to repel invasion - with an Amendment

also the joint resolution relating
Capt. to pay a claim in favor of the Corps
Corps of Engineers Officers and
privates in the army and navy of the
Confederate States of America —

By leave Mr. Anderson presented the
Memorial of the Citizens of Galveston
for a Corps — which was referred
upon a to the Judiciary Committee

~~By leave Mr. Graham introduced a Bill~~

~~to authorize the Secretary of War~~

~~to cause to be constructed~~

~~the Committee on Military Affairs~~

~~to whom was referred a Bill to~~

a
16

Mr. Reed made the following report —

Hon Speaker of the House

The Committee on State affairs to whom was referred a Bill to provide for the support of the families of Sergeants Soldiers who have been called into Service and have withdrawn me to report the Bill back and recommend the passage of the following substitute bill in lieu of the original Bill

Respectfully — S. B. Reed
one of the Committee

On motion House adjourned to
2 P. M. Today —

3 P. M.

Present, Mr. Rice, Rose Calla, James

The Roll was called and a quorum for the prosecution of the business - Minutes of last meeting were read and the journal kept during the absence of the Secretary

The Chair then announced the business before the meeting which was the adoption of the Constitution and By-Laws - Mr. Rice offered an amendment to the Constitution which was adopted

Mr. Wilson offered an amendment to the By-Laws which was adopted

Mr. Rice offered an amendment to the By-Laws which was adopted

Mr. Foscue offered a Substitute for the 12th section of the By-Laws - Mr Bowers offered an Amendment to the Substitute - which was adopted

and the question then became on the adoption of the Substitute for the 12th Section was put and the Substitute adopted. Whereupon Mr. Hugo offered an amendment which was adopted

The Constitution and By-Laws as Revised then and
as to be engrossed The Constitution and By-Laws was

then suspended Bills were at this time

and passed —

Senate

On motion of Mr. Barton the Bills

upon the day & the House was taken

up with a view to reference — viz the Bill

entitled an act defining the duties of the

agent for the Alabama Cherokees and Mus-

cogee Indians — which was referred

to the Committee on Indian affairs

The Bill entitled an act to provide for

the employment of additional labor in

the State Penitentiary which was referred

to the Committee on the Penitentiary — also

a Bill entitled an act for the relief

of Thomas Moore. which was referred to

the Committee on Private Land Claims —

On motion the House adjourned

to 9 am to morrow

Journal of the House of
Representatives - November
28th 1863

11-26-63

House of Representatives
Saturday Nov.r 28th 1863

House met pursuant to adjournment — Prayer by Chaplain Roll Called — Quorum present Journal of yesterday read and adopted

Mr. Barton presented the Memorial of Lucius Clizbe & others Citizens of Walton County — which was ordered to lie upon the table & to the Committee on State affairs —

~~On motion of Mr. Hilton the said petition was ordered to be printed~~

Mr. Sharp made the following report — to the Speaker of the House of R

The Committee on State affairs to whom was referred the Senate Bill entitled an act to incorporate the Sulphur Fork Lumber Company have considered the same and herewith return it to the House and recommend it pass with the accompanying Amendments —

Respectfully submitted
F. M. Hays
Ch

on motion of Mr. Mills the Report was
taken up and with the amendment to the
Title adopted — ~~The Constitutional~~
~~was then suspended~~ the Bill was then read a second
time and passed to a third reading the
Constitutional rule was then suspended Bill
a third time & passed — by the following Vote

A Message was received from the
Senate by Mr Secretary informing the House
that the Senate had passed the following Bills
viz a Bill entitled an act to provide for
the Manufacture of Iron by the Military Boa
also a Bill entitled an act to provide for the
support of the families of Texan Seamen —

Mrs Jasper Speaker Adams. Anderson. Blake, Butler
Brown, Brady, Banton, Brazzy. Bush. Buckley.
Butler, Brown. Bratton, Cooke Daniel deBuy
Darden. Emmert ~~Foster~~ Fauley, Frazzy. Gunn,
Griffith, Gibbon, Glascock Howard of "A" Howard
of "L" Haynes. Hays. Hart, Hammem, Holford,
Ingleish, Ison, Kyle, Keys, Lollar, Lane,
Lucey, Lowery. Marshall, Mooney, McGuire. Mann
McCarthy, Perkins, Patton Prendergast. Power,
Pendleton, Roberson, Redding, Rhea, Robinson
Reed, Russell, Ramsay, Slaughter, Smith, Sale
Swinson, Thomas, Tyler, Thurston Willis Wooten
Nelson Walker Bay — Total 67 —

Mr. Willis made the following report.

In the Speaker of the House of R

Com Committee on Claims and accounts

to whom was referred an account of Wm H.

Howard M.D. of the City of Houston for services

rendered State Troops at Camp Kyle Harris Co,

Texas for $400 — have had the same under consi-

deration and the Committee instructs me to report

the accompanying Bill & recommend its passage

Respt &c — Jno Willis

Ch of Com

Mr Kyle made the following Report —

In the Speaker House of R

Com Committee on Private Land claims

to whom was referred the Senate Bill for the

relief of the Heirs of Thos. Munro, dec. have instructed

me to report the Bill back to the House and

recommend its passage

Respt &c — C. Kyle Ch

Mr Howard made the following Report.

In the Speaker of the House of R —

The Committee on State affairs to whom was referred a Bill to be entitled an act for the organization of a Home Guard and Police Force in the State of Texas have had the same under consideration and ask leave to return the Bill to the House with a substitute therefor which they unanimously recommend to be passed —

Robert Reed — W H Howard
one of the Committee

Mr English made the following Report

Mr. D. K. Taylor Speaker of the House of R

a majority of the Committee on engrossed Bills to whom was referred a Bill to be entitled an act to incorporate "the" East Texas Manufacturing Company" have instructed me to report back this same back to the House. as Committee Engrossed

Respectfully submitted

R. English
one of the Committee

Robert Reed —

Mr Keyes made the following Report
to the Hon M. D. H. Taylor Speaker H of R

The Committee on Enrolled Bills have
examined the subjoined Bills and find them cor-
-rectly enrolled and properly signed and they
present the same to the Governor for his appro
-val on the 27th Inst viz —

A Bill to be entitled an act for the relief
of Preemption Settlers and to extend the time for
the return of Public notes and to extend the time for
the payment of sale dues by Settlers under the Act
authorizing the Sale of the Public domain,

A Bill to be entitled an act to authorize
the Supreme Court of the State for the Galveston District
to hold its Spring terms at the City of Austin & declar-
-ing when

A Bill to be entitled an act authorizing the
use of the Jails of the several Counties for the Custody of
deserters and other Offenders against the Military laws

An Bill to be entitled An act prescribing
the duties of Sheriffs attorneys in Certain Cases
therein mentioned —

A Bill entitled an act to amend the fourth Sec
-tion of an act to define Jurisdiction in Certain Cases passed
Decr 19th 1849

Joint Resolution asking for the relief of Pre
-perty exemption and property debtors Laws —

also Joint Resolution authorizing the Military Board of the State of Virginia to pay the Confederate Texas Troops upon White Cross Campbell Co. Contracts with same Bonds for the manufacture of arms — also forwarded is respectfully submitted —

A. Stuart Ch

Robert Ruffin —

Orders of the Day

The Bill entitled an act to raise one Million of dollars or so much thereof as may be necessary by the Sale of Cotton Bonds to provide for the defence of this State and to appropriate the proceeds thereof from the Senate passed with an Amendment was taken up and the Senate's Amendment was Concurred in and the Bill passed —

The Senate

The Bill entitled an act for the relief of Robert Penn was taken up read a second time and Ordered to a 3rd reading. The Constitutional rule was then suspended. Bill read 3rd time and passed —

The Bill entitled an act for the relief of Agnes Moody was taken up read second time and ordered to be engrossed — The Constitutional rule was then suspended Bill read 3rd time and passed —

The Report of the Finance Committee on the Joint resolution in regard to the sequestration

of County warrants &c— adourn to the enquiry
which was taken up and adopted—

The Report of the Finance Committee
on a Bill entitled an act to amend the
1st Section of an act approved January 14th 1863
to fix the Salaries of the Officers and Clerk
thereof &c— was taken up and on motion
laid on the table— W. Brady moved to take the
report be taken up which was lost The Bill
was then taken up whereupon W. Brown offered an
amendment which was agreed— And W
Reed offered a further amendment which
~~making~~ W Brady moved to lay on the table
which was carried by the following vote— YEAS—
Messrs Speakley Allen, Andrus, Barclay, Blake
Butler, Brady, Burton, Bush, Baker, Cook
Daniels, Darden, Eastland, Frazier, Gaines
Griffith, Inglish, Kyle, Lowry, McGaw,
McCarthy Perkins Pressley and Prince Pendleton
Robertson, Reddick, Rhea Robinson, Rapalje, Slaughter, Sloan
Sampson, Simpson, Tyler, Wooten Wilson Walker and
Mayor 2 vote 39— Nays Messrs Adams, Brown, Brazer
Brown, Bratton, DeBerry, Emmett, Fowler, Finley,

Gibbon, Howard of "a", Howard of "L" Haynes
Holford, Harrison, Hunt, Jones, Keys, Lollar, Lane,
Lacey, Marshall, Moore, Maney, Patton, Rhea
Reed, Smith, Thomas, Thurston, true 31—

and the amendment was laid on the table—

Mr. Thurston offered an amendment
and Mr Butler moved to lay it on the table
and the ayes and nays being called for
was taken and resulted as follows 73—

Yeas — Mayes Speaker, Allen Anderson, Barclay, Blake
Butler, Brown, Brady, Banton, Bush, Baker, Bratton,
Cooke, Deane, Darden, Eastland, Frazer Emmons, Griffith
Howard of "L" Harrison, Hughes, Hyde Lacy, McGann
Maney, Patton Prendergast Pruett Pendleton Reddy
Rhea, Robinson Ruffell, Slaughter, Sebe Simpson
Tyler, Worten Nolan Walker Boy Total 43—

Nays, Mayes Adams, Burdett, Boyer, Bowers, DeBerry
Emmett, Foscue, Finley, Gibbon, Howard of "a", Haynes
Hays, Hunt, Jones, Keys, Lollar, Lane, Lenoir
Marshall, Moore, McCarty, Perkins, Robertson,
Reed, Ramsay, Smith, Sampson, Thomas,
Thurston, Tullis, total, 30—

Amendment laid on the table—

Mr Simpson offers a substitute for the whole Bill — Mr. Read moves to lay the substitute on the table which was carried — the question then is carry on the passage of the Bill to a third reading — the ayes and Bill passes to a third reading —

The Bill entitled an act for the relief of D. J. Nichols was taken up whereupon Mr. M. Mahon offers an amendment which was adopted — and Bill ordered to be engrossed —

The Bill entitled an act to sustain the Currency — was taken and the Committee thereto adhered to the Bill was adopting —

The Bill on motion was recommitted to the Committee on the Judiciary —

The Report of the Committee on Banking on relation to their Compendium with Banks was taken up and adopted

The Report of the Committee on Finance offers on a Bill to be entitled an act to adopt the Articles &c of the Confederate States was taken up and adopted

The Bill entitled an act to amend the 12th Section of the Road Law. was taken up when upon Mr Smith offered an amendment which was adopting — Mr Forcen offered a further Amendment and Mr Barton moved to ~~&~~ lay the Bill and amendment to a Select Committee of three. which Comm and Messrs Barton Finlay and Prendergast was appointed a Committee —

The Report of the Military Committee on the Bill to be entitled an act to adopt the Articles of War &c of the Confederate States for the State of Texas was taken up and adopted

The Bill to Incorporate the Powder Horn Bayou and Matagorda Bay Draying Co — was taken up and the substitute was adopted — and Bill ordered to be Engrossed

The Constitution of rules was then suspended and a 3rd time and passed — by the following Vote Yeas 23 — Nays — Messrs Thurston Adams. Allen, Andrews, Bradley, Bridwell, Brown Butler, Brady, Barton, Brazeg, Bush, Bates Bowen, Bratten, Daniel, Darden Emmett Forcen

12

Fraley, Gunn, Gibbs, Stewart of al Howard of
Hayes, Hays, Hurt, Harrison Hulfish Hunt
English, Ivey, Hyde, Hipscomb, Hollon, Lane, Lucy
Lovejoy, Marshall, Mr Davis, Moore, Mr Gam
Murray, Mr Cathey, Perkins, Patton, Inman Pen-
dleton, Robertson, Reddey, Rhew, Robinson
Reed, Rupell, Ramsay, Slaughter, Smith
Seale, Sampson, Simpson, Thomas, Tyler
Thurston Tillis Woodley Wilson Walker
Jo Jac. 63.

On Motion House adjourned
to 9 o'c on Monday Morning

Journal of the House
for Dec. 30, 1863

11-30-63

Senate of Texas
Thursday the 30th Oct. 1863

Senate met pursuant to adjournment
Prayer by Chaplain — Roll Called — Quorum
present. Journal of last Saturday read
and adopted —

W Barton presented the Memorial of
the Citizens of Walker County which was
read & referred to the Committee
on Counties and County Boundary —

W. Andrews presented the Memorial of
the Citizens of Galveston County which was
read & referred to the Committee on
Finance —

W Simpson presented the Memorial
of Citizens of San Antonio which was read
reading referred to the Committee on State
Affairs —

Mr Lacey presents the Memorial of Citizens of Linn County — which was ordered reading

referred to the Committee on Finance

Mr Barlow made the following report to the Speaker of the H of R

The Committee on Penitentiary to whom was referred the Senate "Bill to be entitled an act to provide for the employment of additional labor on the State Penitentiary have had the same under Consideration and instruct me to report the same back to this House without amendment and recommend its passage

Respectfully

D A G Barlow

Chairman

On motion of Mr. Barlow the Bill was taken up out of its order Read a third time and ordered to a third reading. The ~~Constitutional~~ rule was then suspended Bill read a third time and passed

Order of the Day

The Bill entitled an act for relief of the heirs of Berry. Motion was taken up Read a third time and passed —

The Bill to be entitled an act to suspend the operation of the Stay laws was taken for a third reading whereupon Mr DeBerry offered an amendment which was adopted - Bill read a third time and passed —

The Bill to be entitled an act to amend the twenty-third section of the act to organize the District Courts and to define their powers and jurisdictions approved — May 11th 1846 was taken up read a 3d time and passed

The Bill entitled an act to suspend the execution and Survey of Public Lands except certain Cases was taken up Read a third time and passed —

The Bill entitled an act to incorporate the San Saba Masonic College was taken up Read a third time and passed by the following Vote — to wit

Yeas Mefrs Speaker, Adams, Allen, Andrews, Barclay, Blake, Butler, Brady, Bandon, Brazier, Bush, Buckley, Baker, Bowers, Bratton, Cobke, Daniel, De Berry, Darden, Eastland, Emmet, Foscue, Finley, Frazier, Griffith, Gibbon, Glasscock, Howard of A, Howard of L, Haynes, Hays, Hart, Harrison, Holford, Hunt, English, Jones, Kyle, Keyes, Lipscomb, Lollar, Lane, Lacey, Lovejoy, Mabray, Marshall, McDonald, Moores, McGuire, Maney, McCarthy, Prendergast, Prince, Pendleton, Robertson, Redding, Rhea, Robinson, Reid, Russell, Ramsay, Smith, Steele, Sampson, Simpson, Thomas, Tyler, Thaxton, Willis, Wooters, Wilson, Walker, Way. Total 92. Nays none -

The Bill entitled an Act to prohibit the of intoxicating liquors in the neighborhood of Sam Doty Masonic College was taken up Read a third time and passed —

The Joint Resolution in relation to Confederate Money - was taken up Read a Second time and ordered to be engrossed —

The Bill entitled an act to incorporate the Parsons Female Seminary was taken up Read a 2d time and ordered to be engrossed

The Bill entitled an act to amend the 28th Section of an act to regulate proceedings in the County Courts pertaining to estates of deceased persons — was taken up read a second time and ordered to be engrossed —

The Bill entitled an act to punish Common Merchants for their appropriating private Merchandize; or failing to pay over the nett proceeds thereof when Sales are taken up Read a Second time and referred to the Committee on the Judiciary —

~~James Rawlings~~ The Bill to prevent the sale of intoxicating Liquors in a certain Town of Dallas — was taken up Read 2d time and ordered to be engrossed —

A Message was received from the Senate informing the House that the Senate has passed + Resolutions the following Bills viz —

A Bill for the relief of Peter Storey

A Bill entitled an act to provide for the manufacture of Spinning Jennies —

A Bill entitled an act for the relief of John Merchenson & Seymour & John Conroe —

A Bill entitled an act for the relief of [illegible]

*

Yeas Mr Speaker Adams, Allen. Andrews, Barclay
Black, Budwell, Brown Brady Bunton Brazier Bush
Buckly, Baker Bowen Britton Cook Daniel
D'Bury Darden Eastland Emmet Forest
Finley Frazer Gunn Griffith Gibson
Glascock Howard of "a" Howard of "L" Haynes Hays
Hunt, Hanson, Halford, Hale, Hunt, Inglish
Jones Kyle Lipscomb Lacey Lowry Murray Mr Don
-ald, Mr Guire Mann Mr Carthy, Perkins Pendyard
Power Pendleton Robertson Reddy Rhey. Red
Robinson, Rufus Ramsay Seale Sampson
Simpson, Thomas, Tyler Thurston Miller Wilson
Walker Wm — Total 70 —

Mayo Mr Speaker Bailey, Keys Moore
Slaughter Smith Wooten — Total 6 —

A Bill entitled An Act for the relief of Henry K. Hanson

Also the Joint Resolution authorizing the Secretary of the Treasury to Cancel a Contract made by them with Short Bros & Co for the manufacture of Arms —

Also the following Senate Bills viz

A Bill entitled an act to release Com. M. Lewis of the disabilities of Insanity —

The Bill entitled an act defining the Boundary line between the Counties of Harrison & Marion —

The Joint Resolution relating the action of our Delegation in Congress for the appropriation for Currency was taken up Read a 2nd time and ordered to be engrossed — The Constitutional rule was then suspended — Resolution was then Read a third time — Mr. Burton offered an Amendment which was adopted Mr Bolton moved to lay the resolution on the table which was lost — The question then recurring on the passage of the resolution as amended and the Ayes and Nays being called for was taken and resulted as follows to wit —

+

by leave

Mr. Buckley of Ottawa a Joint Resolution

in regard to suspensions by the Military

Authorities — which was read first time

and referred to the Judiciary Committee

Mr. Barton with leave made the following

Report viz -

To the Speaker of the House

The Select Committee to whom was

referred a "Bill to be entitled an Act to Amend

the 12th Section of the Revised Laws and several Amend-

ments thereto have had the same under Consider-

ation and instructed me to report the same

back to the House: and also the accompanying

Substitute" entitled an act to Amend an act en-

titled an Act authorizing and requiring the

County Courts to regulate Roads, appointing Viewers

&c. approved February 8th 1858 and recommend the

passage of the Substitute -

Report Rec'd —

Respectfully Submitted

J. W. Barton

Ch —

Mr Smith made the following Report —

To the Speaker of the House

A Majority of the Committee on Engrossed Bills

have instructed me to report to the House the following

Bills as Finally engrossed — viz —

A Bill to provide for the organization of New

Madison County —

A Bill to provide for the protection of the

Fisheries —

A Bill for the Relief of Elyn Moody

also A Bill for the Relief of D. J. Nichols

Respectfully Submitted

Thomas Smith

Chr.

Report Rec.

By leave Mr Bowen presented the Memorial of Wm. M Henderson — Which was Referred to the Committee on the Judiciary —

The Resolution "to amend an act to organize Town Districts and Election Precincts in the State of Texas" was the next order for 11 a.m. Friday was Taken up whereupon Mr Howard of "Te" offered a Substitute for the Substitute presented by the Committee — which was adopted — Mr Hancock offered a further Amendment — which was also adopted — Mr Bowen offered a further Amendment which was also adopted — Mr. Hunt offered a further amendment which Mr Howard of "T." moved to lay on the table which carried Mr Tinsley offered a further Amendment which was rejected. Mr McDonald offered a further Amendment which was also adopted — Mr. Sellers offered a further Amendment which was also adopted — Mr. Rapier offered a further Amendment which was also adopted — Mr. Slaughter offered a further Amendment. and Mr. McDonald offered an Amendment to Mr Slaughter's Amendment which was lost — whereupon Mr Sellers offered an Amendment to Mr. Slaughter's Amendment as substitute for the amendment which was adopted — Mr Hays offered a further Amendment which was adopted — Mr. DeBerry offered a further amendment as an additional section

which on Motion was laid on the Table — whereupon Mr Hart offers a further Amendment which was rejected — Mr Barton offers a further Amendment which was adopted — Mr Griffith offers a further Amendment — which on Motion is also laid on the Table. whereupon Mr Barton offers a further Amendment which was adopted and the Question then recurring on the engrossment of the Bill was put and the Bill ordered to be engrossed —

On Motion of Mr. Hays the Senate Bills were severally taken, & passed the day from the Senate has taken up such a new to him upon Mr

A Bill to proceed for the founding of Fire arm Rolling Constitutional was taken up Read 1st time. Rule suspended Bill read 2nd time ~~and ordered to stand~~ whereupon Mr Berry offers an Amendment — and Mr. Bowen offers a further Amendment — On Motion of Mr. Hays the further Consideration of the Bill and Amendments to the hour of 10 Am Tomorrow - which Carried —

The Joint resolution authorizing the Auditor Bound to Cancel the Contract made with State Bis & Co — for the manufacture of arms — was taken up Read 1st time The Constitutional rule was then Suspended Bill read a second time. Mr Farley offers an

amendment which was agreed to on the last reading Bill read a third time and passed —

Mr Slaughter moves a recommendation

of the vote in striking the word "Capacity" in the 4th Bill entitled an act to provide for the organisation of Militia Companies and volunteers for the State of Texas as passed

Carried Mr Howard of Dr Moore to strike out the word Capacity which was carried and the Amendment of Mr Slaughter to insert the words Cavalry —

On motion the House adjourned to 9 o'clock tomorrow —

Journal of
House for Dec 1st
1863

12 - 1 - 1863

House of Representatives

Tuesday Dec^r 1^st 1863

House met pursuant to adjournment

Prayer by Chaplain Pease. Journal of yesterday read and

approved — Journal of yesterday read and

adopted — On motion of Mr Buckley the Speaker was

authorized to employ additional Clerical labor — &c

Mr. Moore presented the Memorial

of D. C. Walker & others and moved its reference

and reference to the Committee on the Judiciary.

Mr. Buckley made the following report —

To the Speaker of the House of R.

The Committee on the Judiciary

to whom was referred the Memorial of the Citizens of Galveston have had the same under

Consideration and believing that the prayer

of the Petitioners is not only reasonable under

the Circumstances; but will subserve the

best interests of our People have instructed

me to report the accompanying Bill and

recommend its passage

E. Buckley

Ch

Report received

On the motion of Mr Buckley the report was taken up and adopted and Bill was read 1st time Constitutional rule was then suspended Bill was read a third time and passed —

Mr Kyle made the following Report to the Speaker of the H of R

Your Committee on Private Land Claims to whom was referred a Bill for the relief of the Heirs of Lt. Shippard have instructed me to report the Bill back to the House and recommend that it do pass —

Report received —

C. Kyle Ch.
of the Committee

Also the following Report to the Speaker of the H of R

Your Committee on private Land claims to whom was referred a "Bill" for the Relief of William Berryman have considered the same and have instructed me to report the Bill back to the House and recommend that it do not pass

Report received —

C. Kyle Ch

Mr. Buckley made the following Report

to the Speaker of the H. of R.

The Com. on the Judiciary to whom was referred the Petition of John Dean praying the passage of a law to confer Jurisdiction upon the County Court to adjudicate upon matters pertaining to the Estate of Geo. Dean dec'd. which have arisen under the Will of said decedent - have had the same under Consideration and instruct me to report that such a law as the one desired by the Petitioner would be in contravention of the Provisions of the Constitution which prohibit the passage of a retroactive law: and upon Conference with Members on the Petitioner

The District Courts have ample power and Jurisdiction to Confer all the relief to Petitioner which he seeks here: by bringing his Case before it in a proper manner wherefore the Committee ask to be discharged from any further Consideration of the same

Report Rec'd —

C. W. Buckley

Ch

Also the following Report

To the Speaker H of R

The Com. on Judiciary to whom was referred the Petition of Anna Martin praying for a Divorce have instructed me to report that said Petitioner has mistaken the Forum & Court with Jurisdiction of such Causes: and however much they sympathize with one whom "Lady Love" has proven so false and un-Kind ask to be discharged from the further Consideration of the Same

Report Res.— C. W. Buckley
Ch

Also the following Report

To the Speaker of the H of R

The Committee on the Judiciary to whom was recommitted a Bill entitled an act to prescribe the Punishment for encouraging desertion from the army or navy of the United States or the State of Texas have had the same under Consideration and a majority of the Committee instruct me to report that in our present struggle for independence and existence as a nation of freemen: the Congress ought to have power now by the Bill

is not inferior to Treason itself. and no Civilized nation has ever excused even the wife of a traitor from guilt — The present Bill as originally reported by the Committee exempted the wife from Criminality and they believed that no other Member of the family should be ~~punished~~ punished in giving aid to those who are evading the Laws by desertion they therefore recommend the passage of the Bill with the subjoined amendments

C. W. Buckley
Ch —

Amend by striking out the words "or Sister. Mother Son or Brother" in 6th line from Bottom of Section Second. and strike out the words "Son or Brother" in last line of same Section.

Robt Ellis

Mr Moore Made the following Report

To the Hon Speaker of the H of R

The Select Com. to which was referred a Bill to Encourage the Manufacture of Iron have had the Same under Consideration and have instructed me to report the following Bill as a Substitute and recommend its passage

Respectfully

W. B. Moore
Ch. Sel. Com.

Mr DeBerry Made the following Report

To the Speaker of the House of R

The Committee to whom was referred a Bill to be entitled an "Act more effectually to suppress the evil of Gaming and to reduce into one all the Gaming Acts" having had the same under Consideration have instructed me to report the accompanying Substitute for said Bill and recommend its passage

Respectfully

A. W. DeBerry
one of the Committee

Also the following report

To the Speaker of the House of R

The Com. on the Judiciary to whom
was referred the Petition of James Mayors appon
and Collector for Audrain Co, also a Bill to
be entitled an act for the relief of Assessors
and Collectors - also a Substitute for said Bill
having had said Petition Bill and Substitute under
Consideration a Majority of said Committee
have instructed me to report the same back
to the House and recommend that no relief
of the Kind prayed for be granted and
they further recommend that neither the
Bill nor the Substitute pass - they therefore
respectfully ask to be discharged from
any further Consideration of the same

Respectfully Submitted

A. H. DeBerry

Chairman Pro. — One of the Committee

Mr. Ray made the following report
To the Speaker of the H of R

The Com. on Indian Affairs to whom
was referred a Senate Bill defining the duties
of Agents for the Alabama Coshatta and Miss.
Coya Indians have had the same under con-
sideration. and a majority of the Committee have
instructed me to report the same back to the
House without Amendment and recommend
its passage

C. B. Ray Ch

Report Rec'd —

Mr. Barton made the following Report
To the Hon W. D. K. Taylor Speaker of the House of R

The Com. on State Affairs to whom was re-
ferred a resolution requiring them to enquire into
the ~~expediency~~ propriety of passing a law upon the subject of
imposing penalty by Confederate Officers by laws
to report that the said Committee have the
same subject matter under consideration: and
that therefore they report the same back to the
house and recommend its reference to that Com-
-mittee

Respectfully submitted

S. H. Barton
one of said Committee

Report adopted

Mr Hays made the following Report
To the Speaker of the H of R

The Committee on State Affairs to whom was referred A Bill to be entitled an act to repeal Jos A Black from the disability of minority have Considered the same and beg leave to return the same to the House and recommend its passage

Robert Rice. T. M. Hays Ch

Mr Brady made the following Report
To the Speaker of the H of R

The Committee on Finance have had under Consideration the laws pertaining for the assessment and Collection of Taxes: and from the multiplicity of Acts and Amendatory Acts upon the subject your Committee find the law very obscure and in many particulars deficient in providing for the proper assessment and prompt Collection of the Taxes —

Your Com, unanimously instructed me to report a Bill entitled "an act to provide for the assessment and Collection of taxes" and recommend its passage. This Bill contains all the essential provisions of the former laws omitting such as have been found impracticable

amendments such new business as expenses
suggests to make the laws efficient
All of which is respectfully
Respectfully Submitted
T. T. Brady Ch
On motion the Report & Bill was made special
order for the hour of 10, A. M, tomorrow
A Message from the Senate was rec'd
announcing the Senate has passed
the following Bills and Resolutions viz
A Bill for the relief of Carey Watson and
his sureties
A Bill entitled an act to incorporate
the Iron Manufacturing Company
A Joint Resolution in relation to the Contract
with Billups & Hassel
And the House Bill entitled an act
making appropriations for the pay & per diem
of the Members and per diem of the officers of
the tenth Legislature. And that the
Senate have Concurred in the House Amend-
ment to the Senate Bill to incorporate the
Salpham Fork Iron Company"

Mr. Brady made the following Report

To the Speaker of the House of R

The Com. on Finance to whom
have been referred Sundry Memorials and
Suggestions touching the Subject of Revenue
have carefully considered the Same and a Ma-
jority of said Committee instructed me to
report a Bill entitled an Act to raise
~~taxation~~ Revenue by taxation and recommend
the passage of the same

which is respectfully
Submitted
P. V. Brady Ch

Separate Rep —

Mr. Brady of the Com. on Finance made
the following Report

To the Speaker of the H of R

The undersigned Minority of the Com.
on Finance beg leave to dissent from the report
of a Majority of said Com. recommending the
passage of a Bill entitled "an act to raise
Revenue by taxation" He fully concurs with
the Majority of said Com. in regard to all of
the provisions of said Bill except so much

of the 3rd Section as proposes to make the Treasury notes of the Confederate States the basis of Property valuation in making appointments of Taxes — on objection to the Specific of Valuation are as follows — 1st That Confederate Treasury notes are greatly depreciated and are but Credits being only the promises of the Government to pay Money at some future time and therefore can not be correctly taken the basis of Value

2nd That Treasury notes have a different Value in almost every County in the State which will necessarily Cause the appointment of Property to vary according to the Value of the Currency in each County — thereby rendering the whole unequal

3rd That it is a great innovation upon established principles of long standing — radical in its character and wholly unsuited to the present Temper of the People

4th That the revenue which can be raised from an appointment upon the ad Valorem basis at the rate of Tax as proposed in the Bill will be unable to meet the financial wants of the State for the next two years —

In Conclusion we recommend that the 3rd Section of said Bill be Stricken out and that the following be adopted as a Substitute for said Section "That an advalorem tax of one half of one per cent shall be levied and Collected on the Value of all property real personal and Mixed including the Credits within this State except such property as may be exempted by Law Provided, Religious & Charitable purposes and two hundred and fifty dollars worth of household and Kitchen furniture and other property not Exceed in Value to each family

Respectfully
Submitted
J. T. Brady Ch
F. M. Stapp
J. P. Simpson

Read Rec'd

Mr Speaker Made the following report in the Speaker of the House of R

The Com. on Enrolled Bills to whom was referred the following Bills &c

A Bill entitled an act to incorporate the Paxton Female Seminary

A Bill entitled an act to amend the 54th Section of an act to regulate proceedings in the

Circuit Courts pertaining the estates of deceased persons

A Bill to prevent the sale on Horse Racing began on the Town of Dallas

A Joint Resolution for the suppression of Confederate Money

Also a Joint Resolution in relation to Confederate Money — Have examined the same and the Committee have instructed me to report the same as Correctly engrossed

Respectfully Rec'd — R English one of the Committee

Mr Bowen made the following report to the Speaker of the House of R

The Judiciary Committee to whom was referred the Memorial of Wm H Henderson have had the same under Consideration and believing the matter upon to require immediate legislation have instructed me to report the accompanying Bill and recommend its passage

Respectfully rec'd — W H Bowen Chm of the Com

On Motion of Mr Bacon the report in
the matter of Wm H. Henderson was taken
up and adopted. Rule nisi for the
Dr Constables rule was then suspended
& Rule made absolute & ordered
to be engrossed - The Constables
bond rule was further suspended
Rule made absolute & ordered -

Order of the Day

The Senate Bill entitled an act to amend
the first Section of an act approved January 14
1862 to fix Salary of Officers and Clerk therein
named — was taken up Read a 3rd time and
the question being on ~~concurring~~ agreeing to
Hays offered an Amendment which was
rejected and the ayes and nays being called
for on the passage of the Bill was taken and
resulted as follows — to wit

Yeas — Messrs Spencer, Adams. Allen Andrews Barclay
Blake, Butler, Barton, Buckley Baker, Cooke, Daniel
Darden, Dragoo Gunn Griffith Glasscock. Howard
of "L" Haynes Harrison, Hite, Inglish Jones. Kyle,
Collier Lowry, Moore. Mc Guire Mc Carthy Nelson, Pen
-dergast Price Pendleton Robertson Redding Robin
-son Rauch, Rupell, Slaughter Seelt Sampson
Simpson, Tyler, Worden, Wilson, Wy. Total 46.

Nays Messrs Burdett Bragg Brown Batten
DeBerry Darden Emmett Finley. Gibbon. Howard of Co's
Hays Holbrook Hunt Keyes Lipscomb Lane Murray
Marshall McDonald Maury. Patton Rhea. Reed, Ramsay
Smith. Thomas. Thurston Willis Total 28. — —

Bill passed —

The Senate Bill entitled an act to provide for the manufacture of Iron by the Mahoning Bound — was taken up Read 1st time and refer to the Committee on State affairs —

The Senate Bill for the Relief of Peter Norton was taken up Read 1st time and refer to the Committee on Private Land Claims

The Senate Bill entitled an act to provide for the manufacture of Spinning Jennys was taken up Read 1st time The Constitutional Rule was suspended Bill read a 2nd time. When upon Mr Hays offers an Amendment which was lost — Mr. Prendergast offers a further Amendment which was adopted — Mr. Hayes offers a further Amendment which was agreed to Mr DeBerry offers a further amendment — and Mr Rhea offers an Amendment to the last Amendment — Mr. Kyle moved to lay both the Amendments on the Table which was Carried — Mr Slaughter moved to take the Amendment offered by Mr Rhea from the Table — Mr Slaughter withdrew his Motion and Mr Barton offers an Amendment which was adopted — Mr Hayes offers an amendment and Mr. Kyle moved to lay it on the table which Carried. The Constitutional Rule was then further suspended. Bill read a third time and passed —

The Senate Bill entitled an act to provide for the support of the families and dependents of Texas soldiers — Made Special order for this hour was taken up and the Question, pending at the last Consideration thereof being on the adoption of the amendment offered by Mr Bowyer Mr Russell offered a substitute for the entire Bill whereupon Mr Bowyer withdrew his amendment — whereupon Mr Slaughter moved that the Bill and amendment be referred to a Select Committee of nine which Carried —

The Senate Bill entitled an act for the relief of John Murchison a pensioner of John Leonard was taken up Read 1st time and referred to the Committee on the Judiciary —

The Senate Bill entitled an act for the relief of A. K. Harrison was taken up Read 1st time. The Constitutional rule was then suspended. Bill read a 2nd time and ordered to a third reading The Constitutional rule was then further suspended Bill read third time and passed

"A message from the House informing the Senate that he returned the "Act prescribing the duties of District Attorneys in Certain Cases" without his approval was received — And on Motion was made Special order for the hour of 11. A.M. Saturday next —

2
19

The Report of the Committee on Claims and accounts on the Claim of Eli Hurst was taken up and adopted —

The Speaker announced the following a Select Committee to Consider of the Bill for the Support of the families of Texan Soldiers — viz Slaughter Hanna, Forcue, Thomas, Smith Howard of L. Hunt Daniel, and Ruffell —

The Bill entitled an Act for the relief of L. D. Nichols was taken up Read a third time and the Ayes and Noes being called for on the passage of the Bill was taken and resulted as follows

Yeas Messrs Andrews, Barclay, Blake, Birdwell, Brown Brady, Baxton, Bush, Buckley, Baker, Bowers, Daniel, ~~DeBerry~~ Darden, Eastland, Emmert, Forcue, Finley, Frazier, Griffith, Glasscock, Howard of L. Hays, Hurst, Kyle, Lipscomb, Lollar, Lacy, Lovejoy, McGuire, Patton, Plemdergast, Prince, Robertson, Rauck, Russell, Slaughter, Seele, Sampson, Simpson, Tyler, Thaxton, Willis, Wilson and Way Total 43.

Nays Messrs Speaker Adams, Allen, Brazier, Bratton, DeBerry, Emmert, Gibbon, Hubbard of A, Haynes, Hart, Harrison, Holford, English, Jones Keyes, Lane, Mabray, Marshall, McDonald, Moore, Maney, McCarthy, Perkins, Pendleton, Redding, Rhea Robinson, Reid, Ramsay, Smith, Thomas, Whittes, Walker, Total 35

The Petition then an act to organize the County of McMillen and to attach it to the 14th Judicial District — was taken up read a third time and passed —

The Bill entitled an act to provide for ascertaining Corners on Surveys and County boundaries was taken up Read 2d time and ordered to be engrossed — The Constitutional rule was then suspended Bill read 3d time and passed —

On Motion House Adjourned To 7. P.M. This Evening

J. R. W. Stone but pursuant to adjournment — Quorum —

~~The Bill entitled an act~~

The Report of the Committee on Public Lands on the Resolution in regard to donating a portion of the public Lands to Texas Colleges was taken up and accepted —

The Bill to be entitled an act to incorporate the Agricultural Mutual and Insurance Co was taken up and Read a second time and ordered to be engrossed —

The Constitutional rule was then suspended Bill read a third time and passed by the following Vote — to Wit

Yeas — Messrs Allen. Anderson. Black, Burnside Brazier, Barlow, Brady. Bush, Buckly, Bailey. Bowers, Brattan Dana, D. Berry, Darden Emmett Eastland Foscue Finley, Frazer. Gibbon Howard of A. Howard of L. Hayes Hannon Holford Hunt Douglas. Jones Kyle Keys Lipscomb Lane Lacey Lowery Mabury Marshall Mc. Donald Moore McGunn Maney McCarthy Perkins Patton Prendergast Price Pendleton Robertson Reading Robinson Reed Rank Rupell Ramsay Slaughter Smith Sale Sampson Simpson Thomas Tyler Thurston Tellis Worten Wilson Total 60 —

The Bill to be entitled an act to provide for the defence of the State of Texas was taken up and Read a second time Mr M Donald moved to recommit the Bill to the Com. on the Judiciary Mr. Fosem Moved that the motion to recommit be laid on the table — which Carried — Mr Buckley then moved that the Bill be referred to a select Committee of seven which Carried ——

The Bill entitled "an act to incorporate the Lavaca Mutual and speculative" was taken Read 2nd time and ordered to be engrossed The Constitutional rule was then suspended Bill read a 3rd time and passed by the following Vote Yeas Messrs Speaker Allen Anderson Barclay Blake Brodnax Brady, Barton, Brazer Bush Buckly Baker Bowers Bratton Cooke Dame Debray Eastland Forrest Fuller Frazer Griffith Gibbon Glasscock Howard of "A" Howard of "L" Hunter Hays Hamner Hansford Hunt Hughes Jones Kyle Keys Lapham Lollar, Lane, Lacey, Lemmon, Marshal, Moore, Murry McCarty Perkins Pallen Pendergast Pendleton Robertson Rhea Reed Rusk Rufus Ramsay Slaughter Smith Sloan Sansom Simpson Thomas Tyler Wilder Wooten Wilson Total 63

Vera Ingles Sprunks, Allen Blake ~~Bonnell~~
Brady Bush, Buckley Baker Bowes Butler
Cooke Daniel Dawson ~~Esmond~~ Eastland
Foreman Finley Frazer Gebbon Glascock Hayes
Harrison Hodgson Hunt, ~~Ingles~~ Kyle
Keys Lipscomb Lollar Lacey M. Donald
M Cann M Cinchy Patton Robuts on Robinson
Rose Rupell Seele Simpson Tyler Tate
41 — Sayer Ingles Andrews Bidwell Buckley Bunton
Brazer DeBerry Eminent Howard of A Howard of L Hays
Long Lane Langley Marshall Moon Muncy Pa
-Kee Priendgate Prince Pendleton Ranck Rumsey
Shanfelter Smith Thomas Tellis Worten and Wilson
Total 26 —

The Speaker appointed the following a Select Committee to consider of the Bill entitled "an act to provide for the further defence of the State" Mr Cooper, Buckley, Fannin, Shingler, M. Donald, Haynes Hurt, Perry —

Mr. Buckley moved to reconsider the vote taken this day adopting the Report of the Committee on the Land on a resolution in regard to donating a portion of the public lands to the Texas Soldiers and immediately moved to lay the motion to reconsider on the table — ~~which motion was~~ and ~~the Yeas and Nays~~ the yeas and nays being called for were taken and resulted as follows

The Bill entitled an act to validate the official acts of Joseph Bullen as Notary Public of Rockingham County — was taken up Read a second time and ordered to be engrossed The Constitutional rule was then suspended Bill read a 3rd time and passed —

The Bill entitled an act for the relief of Wm. D. Dellen was taken up and read a 2nd time and ordered to be engrossed —

The Senate Bill entitled an act to regulate Police attorneys to report to the Comptroller in certain Cases was taken up Read a second time and passed to a 3rd reading The rules was then suspended Bill read a 3rd time and passed —

The Senate Bill entitled an act defining the duties of the agents for the Alabama, Carthage and Macon Railroad" was taken up and read a second time, and ordered to a third reading The Constitutional rule was then suspended Bill read a 3rd time and passed

The Bill entitled an Act to define and punish Rebellion &c was taken up Read a second time and ordered to be engrossed The Constitutional rule was then suspended Bill read a 3rd time and passed —

25

On motion the House adjourned
to 9 a.m. Tomorrow —

Journal of the House

Jan Dec 2nd 1863

12-2-63

House of Representatives
Wednesday Dec.r 2.nd 1863

Senate not present to adjournment —
Prayer by Chaplain. Roll called — Quorum present Journal of Yesterday read and adopted —

Mr Bickley presented the Memorial of Sundry Citizens of Wakulla Co. Read first time and refd to Committee on Penitentiary —

A Message from the Senate informing the House that the Senate has passed the following Bills and Resolutions, to wit ....

A Bill for the relief of the heirs of W.B. Conner —

A Bill for the relief of Lewis R Dumas ....

A Bill to authorize the Comptroller to issue a duplicate Six per cent Treasury Warrant

A Bill to authorize the P.M. Master of the State to dispose of a certain number of pre-emption Cer-

A Joint Resolution Concerning the disposal of clothing made at the Penitentiary — Also the House Bill Entitled an Act to amend an Act Concerning Common Carriers — and the Bill to establish and define the Boundary of the Counties of Live Oak and McMullen and to repeal Certain Acts therein named —

Mr Bush made the following report

In the Speaker of the H of R

The Com. on State affairs to whom was referred a petition to donate to the State of Texas two pieces of Artillery Captured in Arizona by Col Ford's Regt have had the same under Consideration and have instructed me to report the accompanying Joint Resolution and recommend its adoption ,,

Respectfully submitted

Report rec —

S. W. Bush one of
his Committee

Mr. Mr. Carthy made the following report

To the Speaker of the House of R

The Committee on Military affairs to

whom was referred a resolution of the House

requiring them to enquire into the expediency of

Providing for the defense &c have had the same

under Consideration and finding the objects there-

in referred to embraced in measures now

before the House beg leave to be discharged

from the further Consideration of the same

S. L. Mr. Carthy

Report Rec'd — one of the Committee

Mr. Lallor made the following Report.

To the Speaker of the House of R

The Committee on County and County Roads

to whom was referred the Petition of Sundry Citizens

of Shelby County asking that the name of same to

be changed to that of "Hood" have had the same

under Consideration and return the same together

with a Bill and ask to be

discharged

Respectfully submitted

Report Rec'd — S. A. Lallor Ch

Mr Smith made the following Reports
To the Speaker of the H of R

A Majority of the Committee on Engrossed Bills
instruct me to report the following bills as Correctly en-
grossed — viz

A Bill to incorporate the Powder Horn Bayou &
Muttegan Bay Dredging Co

A Bill for the organization of the Stone Canon
&c &c

A Charter for the City of Galveston

A Bill supplemental to an Act to regulate
proceedings in Civil Cases pertaining to es-
tates of Decd. persons approved March 20th 1848

A Bill to provide for ascertaining Conflicts in
surveys and County Boundaries &c &c

Respectfully Submitted

Report recd —

Thos Smith Ch.

Mr. Rauch made the following Report

To the Speaker of the H. of R.

The Select Committee to whom was referred the Report of the Q.r M. of the Mt. Regt. State Troops have had the same under Consideration and instructed me to report that in their opinion the General good would be subserved by the adoption of the accompanying Resolution.

Your Com. have further instructed me to recommend that the accompanying estimate for funds to meet the requirements of the Q.r Masters Department of the Mt. Regt State Troops to Dec.r 31st 1863 be allowed and the Amount appropriated at once

Your Committee beg to be discharged from all further Consideration of the Requirements of Q.r Masters Report —

S. E. Rauch

Chr

Resolved — and that the following Resolution was made Special order for the hour of 11 A. M. Friday next —

"Resolved That a Committee of five be appointed and instructed to institute a strict investigation in regard to all matters pertaining directly or indirectly to the report of the Requirements Q.r M.r of the Mounted regiment State Troops

2nd That the same Committee be empowered to employ

"a Clerk Compel the attendance of Witnesses, administer
" oaths and do all things else which in their opinion
" be necessary to secure a full, impartial investigation of the matter
" under Consideration,

" 3rd. That the said Select Com. shall have power
" to Continue their investigations after the Legislature shall
" have adjourned sine die and shall Continue to receive
" their per diem as Members of the body until their
" work shall have been completed

" 4th. That this Com. be ordered to make their report
" to the Comptroller of the State who shall be governed
" by the said report in the adjustment of this
" Resolution & Account"

Mr DeBerry made the following report

To the Speaker of the H of R

The undersigned one of the Com. on the [illegible] to whom was referred a Bill to be entitled an Act to prescribe the punishment for encouraging desertion from the Army and Navy of the Confederate States or the State of Texas: being unable to Concur with the opinion of the Majority of the Committee in their report on said Bill respectfully Submits to the House the accompanying substitute for the Bill referred to said Committee and recommended by them: the Substitute offered by the undersigned is substantially the same as the original bill with the exception: those the features in said Bill which are by the undersigned deemed objectionable are omitted

Respectfully Submitted
A W DeBerry one of the Com

W. Griffith made the following Report
To the Speaker of the House of R.

The Com. on Military Affairs to whom was referred back by the Senate, the Bill to be entitled an "Act to amend the Second Section of and Supplementary to an Act to perfect the organization of the State Troops: and place the same upon a more footing with sundry amendments by the Committee on the whole: Feeling that they were instructed by the action of the Committee of the whole have inserted the Clause in reference to "licensed Ministers" of the Gospel" Yet they feel it their duty bound to report this in their opinion the first Section to exemption of the Class of Persons provided for by Section 3d Art. 6 of the Constitution will be inoperative and in violation of this Constitutional provision. For the same reasons we have inserted the Clause restricting the price of Ship Fare to 2½ Cents per mile

The Committee beg leave to differ from the Committee of the whole on this subject believing as they do - that it is impolitic and unjust to legislate upon and restrict one branch of industry, labor or employment while all other pursuits are left untrammelled

Respectfully — John L. Griffith Ch

Mr Keyes made the following Report
To the Speaker of the H of R

The Committee on Enrolled Bills have examined the following enrolled Bills and found them correctly enrolled and properly signed and have presented them to the Governor today for his approval viz

A Bill to be entitled An Act to suspend all laws for the Collection of debts and chatteles on Bonds Notes &c.

A Bill to be entitled an Act to relieve Corri
m; County of the Indebtedness of Immedy

A Bill entitled an Act for the relief of Robert Price

A Bill to be entitled an act to provide for the Employment of additional labor on the State Penitentiary

A Bill defining the boundary line between the ~~Counties~~ Counties of Stanton and Marion

A Joint resolution requesting our Senators and Representatives in Congress to memorialize the Secretary of the Confederate Army and Navy of the Confederate States of America

Respectfully submitted
Thos Keyes

Mr Foote introduced a Bill to be entitled an Act to extend the term of Service of the State of Troops — which was read 1st time and referred to Committee of the

Order of the Day

The Bill entitled An Act to raise Revenue by Taxation was taken up and on motion of Mr Buckley was made the special order for this day Evening at 7 P.M. and 125 Copies thereof ordered to be printed —

The Bill entitled an Act making an appropriation for the Salary and per diem of the Members and per diem of the Officers of the 15th Legislature reported back from the Senate with Senate's Amendments Concurred in and Bill passed —

The Bill entitled an Act for the relief of George N. Clapsaddle was taken up whereupon Mr McDonald moved a Call of the House which being made, the following Members answered Brown, Hill, Andrews, and Clapsaddle

being absent the Sergeant at arms was ordered to procure and conduct him to the Bar.

Pending the Call the Bill entitled an Act to Provide for the Assessment and Collection of Taxes was taken up whereupon Mr. Hays offered an Amendment and Mr. Banton offered an Amendment to the Amendment and Mr. Buckley moved to postpone the further Consideration of the Bill to Monday next and be made Special order for that day —

The Sergeant at arms having announced a full House the Bill for the relief of George B. Clarke suspended by the Call of the House was taken up when upon Mr. McDonald moved to lay the Bill on the table and the Ayes and Nayes being called for were taken and resulted as follows — To lay

Ayes Messrs Adams, Allen, Blake, Brodwell Brazier, Bratten, DeBerry, Emmett, Fuley, Glenn, Howard of Ba. Howard of Ps. Hunt, Harrison, Holford, Lugleh, Kyle Keyes Lipscomb, Lacey, Mabury, Marshal, McDonald, Mooney Nancy McCarthy, Perkins, Prendergast, Power, Pendleton Rhea Redding, Robinson, Reed, Ratcliffe, Smith, Thomas, Trotter and Walker. Total 39 —

Mayer Jasper Speaking, Andrew, Barclay, Butler, Brown, Brady
Banton. Bush, Buckley, Baker, Bowen, Cooke Daniel, Darden
Eastland, Facen, Frazer, Griffith. Gibbon, Hayes. Hays.
Hill, Hunt, Lollen Lane Lowry. M. Gunn Patten
Robertson. Ranck, Rapelle, Slaughter Seller Simpson
Sampson, Tyler, Thurston, Willis Watson and
Mr. Loue 40 —

Motion lost — when upon M. Gunn offered an amendment which was adopted — and M. Hays moved to recommit the Bill back to Committee and thus the Com. be authorized to send for persons & papers — whereupon M. Hays moved the previous question which being seconded was put and Carried and the yeas and nays being called for on the main question was put and decided as follows Viz — Jasper Speaking, Andrew, Butler, Brown, Brady, Banton, Bush, Buckley, Baker, Bowen, Cooke, Daniel, Darden Eastland, Facen Frazer, Griffith, Hayes, Hays Hill, Hunt, Lollen, Lane, Lowry M. Gunn Patten Robertson Ranck Slaughter Seller Sampson Simpson Tyler Thurston Willis and May — 36 — Mayer Jasper, Adam, Allen, Barclay, Blake, Burdick Brazier Bratton, DeBerry, Emmet Fenley, Gunn Gibbon, Howard of A Howard of D Hall, Hunter, Holford, Ingleish, Kyle Keyes Lipscomb, Lacey, Mabry Marshall M. Donald Mooney Mowry, M. Carthy Perkins Prendergast Purser Pendleton Pedding, Rhem, Robinson, Reed Rapelle Ramsay Smith. Thomas, Trotter Wilson and Walker to the 43 Rules not expired —

The Speaker announced the following a Select Committee to Consider of the Bill to be entitled an Act to explain the Law of Seizure of the State Troops — Mr Mc Swan Anthony Howard of L. Perkins, and Lowry —

On Motion the House adjourned at 3 P.M. Today

3 P.M. House met pursuant to adjournment — Quorum Present

The Bill entitled An Act to provide for the appointment and Collection of Taxes which was under Consideration at last adjournment was taken up and the question pending at adjournment being on the motion to postpone the further Consideration of the Bill to Monday next. ~~or to that last~~ Until

Mr Prendergast Moved to reconsider the Vote on the Bill for the relief of Geo W. Glascock which was Carried —

By Unanimous Consent of the House Mr. Prendergast introduced a Substitute for the Bill, which was adopted and the Question pending on the passage thereof was put and decided as follows to Wit — Yeas Messrs Allen

Anderson, Barclay, Blake, Burwell, Butler, Brown,
Brady, Barton, Bush, Buckley, Bowen, Butler, Batton,
Cook, Dawes, D'Ruy, Dawson, Eaton, Force,
Frazer, Griffith, Gibbon, Howard of "L", Hayes,
Hays, Hart, Harmon, Hyde, Hays, Lapsley,
Lane, Lacey, Longyear, Mabray, M. Dowell, Morey,
McLean, Henry, McCarthy, Perkins, Patton, Pearce,
Dupree, Price, Pendleton, Robertson, Reddy,
Rhea, Robeson, Rauch, Rapelje, Ramsay,
Murphy, Smith, Selee, Simpson, Thomas,
Tyler, Martin, ~~Brooks~~, Wilson, Berkey, and
Mr. Speaker — 63 — Nays, ~~Myers~~, Myers,
Adams, Brazo, Emily, Evans, Howard of
Ia, Holford, Lapham, Marshall, Reed,
Rogers — total 10 — Bill passed

~~Ordered~~ Mr. Hays moved that the House go into a Committee of the whole & to Consider of the Bill "to provide for" the assessment and collection of Taxes" which was Carried — whereupon Mr. Hays took the Chair and the Committee of the Whole entered upon the ~~purposes of debating~~, Consideration of the Bill — and after spending some time in debate ——

On motion the Committee arose ~~and~~ reported the
the Speaker ~~took the~~ Chair & herein
upon the Chairman of this Committee
reported progress and asked leave to
sit again which was granted —
A Message from the Senate by Record
transmitted to the House Communi-
cations from the Governor accompanied
by a Communication from Major
General Jn. Brooke which Records and
papers are returned to the Senate —
Leave of absence for this day is this day
Upon application leave was granted
to Mr. Rose ~~to [illegible]~~
Upon motion of Mr Baxter the Sen-
ate Bill entitled an act Concerning the
disposal of Cloth made at the State
Penitentiary — Which has manufac-
turing and disposed to Com. on Peni-
tentiary —
On motion [illegible] adjourned
to 9 o'clock Tomorrow